

The bill also required institutions to take part in a five-part program that includes crisis intervention access, mental health program access, multimedia applications, a student communication plan and more.

The ALEC-approved version of the legislation is a resolution urging colleges to take part in the programs rather than requiring it, Rep. Anielski said.

"Basically it's almost like a committee process and you have to go and sell it and market it and basically convince your colleagues from around the nation that this is a good idea," she said of ALEC. "I presented it first as a bill in December and they asked me to come back and present it as a resolution because they didn't want schools to be mandated to do that."

West Virginia has already enacted legislation that mirrors Ohio's bill, while four other states have used portions of it, Rep. Anielski said. She's hoping those numbers go up now that the concept has ALEC backing.

She was joined in education-related sessions by Rep. Brenner, who said he spent a portion of the annual meeting involved in brainstorming on charter schools.

The discussions, which included presentations from school choice and charter school leaders from across the country, allowed participants to begin building a framework for those states that need to improve their sectors or are looking to establish one, he said in an interview.

Holding dropout recovery and prevention schools accountable in ways other than test scores that address the makeup of those schools was also a topic of conversation.

"Basically, the biggest thing I don't think (people) get about ALEC is it's not an evil thing. It just like a big interested party-meeting," Rep. Brenner said of his experience, referring to criticism of the group.

"We're just discussing basic public policy and what would be good model legislation written basically by legislators and we're dealing with the same organizations back in our Statehouse," he added.

Center for Media and Democracy, the group behind a website called ALEC Exposed, doesn't buy that, though. It argues on its website that the ALEC meetings are where "global corporations and state politicians vote behind closed doors to try to rewrite state laws that govern your rights."

Rep. Brenner said he'd like to see the event televised to provide transparency and educate people about the issues lawmakers - whose meeting expenses are covered by the party - are addressing.

Held in Indianapolis, the event agenda included breakout sessions as well as a speakers list that featured Trump running mate Gov. Mike Pence.

Husted Urging Changes In Special Election Laws

Absentee voting has started in a special Democratic primary for the Eighth Congressional District, although Secretary of State Jon Husted is pushing lawmakers to change the law that is requiring the election to take place.

The special primary is designed to name a Democratic candidate to replace Corey Foister on the ballot in November. Mr. Foister withdrew 107 days before the November election and will be replaced on the ballot by Steve Fought.

State law requires a special election to be held if a congressional candidate withdraws from the race with more than 90 days to go before the general election, according to Mr. Husted's office. After the 90th day before the election, there's a window allowed by state law in which the party could appoint a candidate without a special election.

In a statement, Secretary Husted said he will urge the General Assembly to make changes to Ohio law to avoid having conduct a special primary election in which only one candidate is running in the future.

"It is a waste of time and tax dollars to hold a special election when only one candidate is running," Secretary Husted said. "I hope the legislature will change the law to avoid this problem in the future."

Absentee voting in the special primary for overseas and military voters started Saturday, according to the Secretary of State's office.

Mr. Fought, a former press secretary for U.S. Rep. Marcy Kaptur (D-Toledo), lives in Toledo but plans to move to Butler County to run for the seat, according to a report from the *Toledo Blade*.

Mr. Fought will face U.S. Rep. Warren Davidson (R-Troy), who won the seat formerly held by House Speaker John Boehner in a special election in June (See Gongwer Ohio Report, June 8, 2016). Green Party candidate James J. Condit Jr. is also running for the seat.

LPO Plans Appeal After Latest Setback In Ballot Access Case

The Libertarian Party of Ohio said Monday it will appeal a federal appeals court's rejection of the group's claims it was unfairly kept off the state ballot in the 2014 election.

The U.S. Sixth Circuit Court of Appeals on Friday affirmed the May decision by a district court in favor of Secretary of State Jon Husted.

In its appeal to the Sixth Circuit, the LPO claimed state actors selectively enforced the law against Libertarian Party candidates and that state law violated the equal protection

clause of the 14th Amendment by requiring new minor parties to nominate candidates by petition, rather than primary elections.

Circuit Judge Karen Nelson Moore wrote in the decision that the LPO failed to demonstrate the Secretary of State's Office worked with the Ohio Republican Party in a conspiracy to keep the Libertarians off the ballot in 2014. Judge Moore said the district court was correct in granting summary judgment on the selective enforcement claim.

As to the claim of equal rights violations, the court ruled the state's interest in requiring new minor parties to demonstrate a base of support outweighed the burden placed on the LPO by having to nominate candidates by petition, instead of by primary election.

Mark Brown, the LPO's lead attorney, said in a statement that the party will appeal the decision, saying voters should have the ability to vote for their presidential ticket of former New Mexico Gov. Gary Johnson and former Massachusetts Gov. William Weld.

"We are immediately appealing the Sixth Circuit's decision to the United States Supreme Court," he said. "The Constitution and the voting rights of Ohioans are too important not to. The Johnson/Weld ticket offers a critical choice in this election cycle, and as things stand Ohio Republicans have been allowed to cancel that choice. The Supreme Court may change all that."

Joshua Eck, a spokesman for Secretary Husted, said the case has been clearly decided.

"The court of appeals, like every court before them have affirmed that this law is constitutional," he said in an email. "It's time to stop wasting the taxpayers' money with this frivolous lawsuit."

The lawsuit is the latest by the LPO over ballot access. In 2006, the party successfully challenged a state law that required parties that received less than 5% of the vote in the last gubernatorial or presidential election to file petitions 120 days before the primary election, or nearly a year before the general election, in order to appear on the ballot.

The party successfully challenged a similar law in 2011, this one requiring the petitions to be filed 90 days before the primary election.

"As we have promised Ohio voters, the LPO will work to overturn any and all unconstitutional restrictions that Republicans or Democrats use to block voters from having free, fair, and meaningful choices at the ballot box," Bob Bridges, the LPO's executive committee chair, said in a statement.

Mr. Bridges said the party is currently working to gather the 5,000 signatures required to place Govs. Johnson and Weld on the ballot in November as independents. The deadline for that petition is Aug. 10.

Ethics Commission: Former Columbus Council Members Should Pay For Attendance At 2014 Game

The Ohio Ethics Commission has reached agreements with three former Columbus City Council members, including current Mayor Andrew Ginther, for them to pay more than \$400 each after accepting tickets to the 2014 Big Ten Championship football game from a vendor.

The letters from the OEC released Monday call for Mr. Ginther, Council Member Shannon Hardin and now-Franklin County Municipal Judge Eileen Paley to pay \$446.53 to the City of Columbus to benefit new city ethics policies and protocols.

All three were members of the city council in 2014 when Centerplate, a vendor of the Franklin County Convention Facility Authority, paid for them to attend the game in Indianapolis.

The city appoints members to the authority and appropriates more than \$7 million per year to fulfill bond requirements from the FCCFA, meaning the city could be required to fund authority deficits, according to the letter.

The OEC also sent a letter to Donald Leach Jr., an attorney representing the FCCFA, calling for him to pay \$893.06 for the cost of attendance for him and his wife.

Mr. Hardin also agreed to pay \$893.06, also covering the cost of a guest who attended.

The amounts to be paid are the difference between what the officials paid and what the OEC determined the actual cost to Centerplate was for the event and transportation.

The OEC letters said there was no finding in the review that ethics law or other statutes were violated, so the matters were closed and no further action will be taken.

Education Notes: ODE Seeking Career-Focused Education Grant; Chancellor Carey Plans UA Visit; OSU Police Department Recognized

The Ohio Department of Education is soliciting public input as it pursues a grant aimed at improving career-focused education.

Before submitting its application for the three-year grant, ODE said it would like to gather survey responses from educators, parents, students, businesses and community organizations to determine the access to career prep resources in schools now.

"The department will use the information from the survey to create the grant proposal on how Ohio will increase pathways for students to get the training and skills they need to compete for jobs," according to an ODE release.

The New Skills for Youth grant is sponsored by the Council of Chief State School Officers, the National Association of State Directors of Career Technical Education Consortium and JP Morgan Chase.

Chancellor Visit: Chancellor John Carey will head to the University of Akron Tuesday to lead a roundtable discussion on higher education and business partnerships.

ODHE announced that from 10:30-noon he'll be joined by UA's Interim President Matthew J. Wilson as well as business partners and a number of representatives from northeast Ohio colleges and universities that are part of a Regionally Aligned Priorities in Delivering Skills grant process.

Mr. Carey is expected to explain the funding that will be provided to the region as part of a RAPIDS grant and how that money can be used to benefit businesses and higher education.

Campus Police: Ohio State University's Police Division has received its first reaccreditation from the Commission on Accreditation for Law Enforcement Agencies, the institution announced.

The campus police department is one of about 70 universities agencies that meet the commission's 188 standards, according to an OSU release. It was first accredited by CALEA in 2013.

"The Ohio State University Police Division has a uniquely tailored approach focusing on both safety and education," OSUPD Chief Craig Stone said in a statement. "CALEA accreditation exemplifies our commitment to the safety of our campus community and shows we hold our officers to the highest standards in law enforcement."

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Wednesday, August 3

Ohio Collaborative Community-Police Advisory Board, Ohio Department of Public Safety
Atrium, 1970 W. Broad St., 1st floor, Columbus, 10 a.m.

Supplemental Event Planner

Sunday, August 7

Lisa Schacht (R-Candidate 20th House District) fundraiser, Schacht Family Farm, 5950 Shannon Road, Canal Winchester, 6 p.m., (Special Guests Secretary of State Jon Husted and Ohio Senator Kevin Bacon. Host: \$300; Host Committee: \$200; Supporter: \$100; Attendee: \$25/person to Citizens for Lisa Schacht)

Thursday, August 11

Ohio Charter School Summit, Hyatt Regency Columbus, 350 North High Street, Columbus, 9 a.m.

Friday, August 12

Ohio Charter School Summit, Hyatt Regency Columbus, 350 North High Street, Columbus, 8:30 a.m.

Rep. Dorothy Pelanda (R-Marysville) Golf Outing fundraiser, Darby Creek Golf Course, 19300 Orchard Road, Marysville, 11:30 a.m., (11:30am Registration and Lunch; 12:30pm Shotgun Start; 5:00pm Reception with Special Guest Attorney General Mike DeWine. Lunch/Golf/Reception: \$80/person; Reception Only: \$40/person; Hole Sponsor: \$100 to Pelanda for State Representative)

Tuesday, August 16

Wes Goodman (R-Candidate 87th House District) fundraiser, Cedar Creek Barn, 7723 State Route 42, Mansfield, 5:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$200; Couple: \$50; Individual: \$25 to Friends of Wes Goodman)

Tuesday, August 23

~~Canceled: Rep. Terry Johnson (R-McDermott) fundraiser, Athletic Club of Columbus, 136 E. Broad Street, Columbus, 11:30 a.m., (Chair: \$2,500; Sponsor: \$1,000; Patron: \$500; Guest: \$350 to Terry Johnson for State Rep)~~

Wednesday, August 24

Sen. Troy Balderson (R-Zanesville) & Rep. Stephanie Kunze (R-Candidate 16th Senate District) golf outing fundraiser, Country Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Troy Balderson for State Senator & Citizens for Stephanie Kunze)

Tuesday, September 6

Matt Huffman (R-Candidate 12th Senate District) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Rd., Lima, 9 a.m., (Registration 9:00-10:00am, Shotgun Start 10:00am \$1,000 Event Sponsor | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Club Drive, Grove City, 11 a.m., (11:00am Shotgun and Lunch; 12:00pm Shotgun Start. Event Sponsor: \$1,500; Food/Beverage Sponsor: \$750; Foursome: \$400; Hole Sponsor: \$200; Individual Golfer: \$125 to Friends of Gary Scherer)

Rep. Ron Young (R-Leroy Township) Winery Reception fundraiser, Debonne Vineyards, 7840 Doty Road, Madison, 5:30 p.m., (with Special Guest Lieutenant Governor Mary Taylor. Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Friends of Ron Young)

Wednesday, September 7

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers

pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)

Tuesday, September 13

Rep. Steve Hambley (R-Brunswick) and Rep. Doug Green (R-Mt. Orab) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee and/or Committee to Elect Doug Green)

Wednesday, September 14

Rep. Jim Butler (R-Oakwood) and Rep. Margy Conditt (R-Liberty Township) fundraiser, Oliver's, 26 N. High Street, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Friends of Margy Conditt)

Monday, September 19

Rep. Steve Huffman (R-Tipp City) golf outing fundraiser, Homestead Golf Course, 5327 Worley Road, Tipp City, 8:30 a.m., (8:30am Registration and Light Breakfast; 9:30am Remarks from Congressman Warren Davidson; 10:00am Shotgun Start. Event Sponsor: \$2,000; Food and Beverage Sponsor: \$1,000; Tee Sponsor: \$500; Individual Golfer: \$250 PAC/\$150 Individual to Steve Huffman for State Rep)

Tuesday, September 20

Rep. Derek Merrin (R-Waterville) fundraiser, OHROC Offices, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

Wednesday, September 21

Craig Riedel (R-Candidate 82nd House District) fundraiser, Oliver's, 26 N. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$200 to Citizens to Elect Craig Riedel)

Friday, September 30

Sen. Bill Beagle (R-Tipp City) fly fishing fundraiser, Spring Run Farms, 9206 Haddix Road, Fairborn, 11 a.m., (11:00am-4:00pm Fishing, 4:00-6:00pm Reception; \$1,000 Pike Sponsor | \$500 Salmon Sponsor | \$350 Trout Sponsor | \$175 Bluegill Sponsor | \$100 per couple/family | \$75 per Individual to Citizens for Bill Beagle)

Tuesday, October 18

OHROC Fundraising Reception, Athletic Club of Columbus, 136 E. Broad Street, Gold Room, Columbus, 5 p.m., (Chair: \$5,000; Sponsor: \$2,500; Host: \$1,000; Guest: \$500 OHROC)

17 S. High St., Suite 630

Columbus Ohio 43215

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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley,
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House Activity for Monday, August 1, 2016

INTRODUCED

HB 587

DASHBOARD CAMERAS (Boyce, K.) To require law enforcement officers to use dashboard cameras and body cameras during any time that they are interacting with any member of the public while in the performance of their duties, to provide for state financial assistance to local law enforcement agencies for the purchase of such cameras and related equipment, and to make an appropriation. Am. 109.73, 109.742, 109.77, 109.79, and 109.80 and to enact sections 2901.51 and 2901.52

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Senate Activity for Monday, August 1, 2016

INTRODUCED

SB 342 ■

WEAPON POSSESSION (Thomas, C.) To grant municipal corporations the authority to impose a ban or restriction on the open carry or concealed carry of any firearm in a publicly secured area established by the municipal corporation during an event of regional or national significance being held in the municipal corporation. Am. 9.68, 2923.122, and 2923.126 of the Revised Code and to amend Section 9 of Am. Sub. H.B. 12 of the 125th General Assembly

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Daily Activity Planner for Tuesday, August 2

Legislative Committees

Senate Agriculture (Committee Record), House Agriculture & Rural Development (Committee Record) (Chr. Hite, C., 466-8150, Chr. Hill, B., 644-6014), Donahey Nationwide Ag./Hort. Building, Ohio State Fairgrounds, 10 a.m.

- Testimony from Virgil Strickler, General Manager of the Ohio State Fair; Jack Fisher, Executive Vice President of the Ohio Farm Bureau Federation; Dave Daniels, Director of the Ohio Department of Agriculture; Jim Zehringer, Director of the Ohio Department of Natural Resources; Craig Butler, Director of the Ohio Environmental Protection Agency; Dean Rustin Moore, DVM, PhD, The Ohio State University College of Veterinary Medicine and Mary Buehler, Ohio Fair's Queen/FFA State President

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 1:30 p.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 2:30 p.m.

- Session to fill vacancies in the 3rd and 47th House Districts

Agency Calendar

Construction Industry Licensing Board, OCILB Conf. Rm., 6606 Tussing Rd., Reynoldsburg, 10 a.m. (Electrical Section)

Board of Building Appeals, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 12:30 p.m.

Event Planner

Rep. Rick Perales (R-Beavercreek) fundraiser, 21 W. Broad Street, 7th Floor, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Perales)

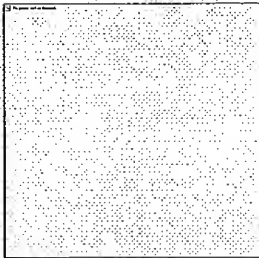
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From: The Buckeye Institute
Sent: Friday, August 5, 2016 8:39 AM
To: Rep93
Subject: Protecting your vote and making your voice heard



News Alert

Making Your Voice Heard on Health Care

Other states have attempted to lower Medicaid costs by equipping recipients with health savings accounts (HSAs). A "Healthy Ohio" proposal seeks to do this while making sure Medicaid participants pay a reasonable premium. An Ohio-specific innovation also encourages HSA recipients to move on to private plans through "bridge" accounts, thus reducing dependence on Medicaid. To do this, Ohio needs a waiver from the federal government.

You can submit public comments to the federal government on this proposal, which could affect Ohio's ability to adopt its "Healthy Ohio" plan. [Click here to submit your comments by Sunday, August 7.](#)

Ensuring the Integrity of Ohio Ballots

When a federal judge declared that a 34-year-old federal law suddenly required Ohio to expand early voting, The Buckeye Institute's Legal Center took action. Filing an amicus brief with "super lawyer" Michael Carvin, Buckeye experts are defending Ohio's early voting law from those who would have the courts rewrite the law and thereby endanger the integrity of Ohio ballots.

On August 2, the U.S. Court of Appeals for the Sixth Circuit heard oral arguments on the case. To read The Buckeye Institute's legal brief, [click here.](#)

Protecting Absentee and Provisional Ballots

In a stunning decision, another federal judge ruled against Ohio's law requiring voters to provide their address and some form of *non-photo* ID when casting absentee and provisional ballots. The judge's reasoning? It makes voting "less convenient." But, as Buckeye noted in yet another page-turner of a brief, Ohio's non-photo ID requirement is far less restrictive than other states' rules; moreover, Ohio actually has *expanded* its early voting opportunities.

Oral arguments for that case took place yesterday, August 4. Stay tuned: It is anticipated that both cases will be decided before the November elections.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

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PUBLIC POLICY

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Monday, August 8, 2016



TOP NEWS

Seattle Mulls Delay Of Landmark Uber Driver Union Law

The city of Seattle told a federal judge Thursday that it may delay by six months implementing a new ordinance allowing Uber and Lyft drivers to unionize, saying that could affect whether the U.S. Chamber of Commerce's antitrust challenge to the first-of-its-kind ordinance should be dismissed.

New Audit Rule Limits Tax Discharges By Partnerships

A new rule forcing partnerships to declare they won't voluntarily file for bankruptcy as a prerequisite for electing a revamped tax audit regime is being billed by experts as an unexpected move by the Internal Revenue Service to prevent the new regime from being abused to avoid tax liabilities.

EPA Won't Review Power Plant Startup-Shutdown Regs

LAW FIRMS

Addleshaw Goddard
Akerman
Akin Gump
Allison MacKenzie
Alston & Bird
Altshuler Berzon
Arnold & Porter
Berwin Leighton
Bird & Bird
Carroll Burdick
Constantine Cannon
Cravath Swaine
Crowell & Moring
DLA Piper
Davis Wright Tremaine
Dykema Gossett PLLC
Earthjustice
Edwards Wildman
Eversheds LLP
Faegre Baker

The U.S. Environmental Protection Agency on Friday denied a petition by environmental groups to reconsider changes to the Mercury and Air Toxics Standards rule that give power plants a little more leeway when starting up or shutting down.

Pa. AG Loses State Supreme Court Bid To Nix Criminal Counts

The Pennsylvania Supreme Court on Friday shot down an emergency petition filed by Attorney General Kathleen Kane seeking to toss criminal charges she is facing over her alleged role in leaking confidential investigative material to the press, clearing the table for a trial next week.

Calif. Lawmakers Want Judicial Discipline Commission Audit

Four California state lawmakers are pressing for an audit of the Commission on Judicial Performance following a recent report that it tossed a majority of the 1,245 complaints it received last year against active and former judges.

ANALYSIS

Trump Aims To Shake Up Trade Negotiating Strategy: Adviser

The U.S. is likely to see a dramatic shift in its trade policy if Donald Trump's offbeat presidential bid comes to fruition, Trump adviser Peter Navarro has told Law360, vowing that the former real estate tycoon's populist-driven campaign message will be ushered straight to the negotiating table.

Massive Gulf Separates Trump And Clinton On Energy Policy

The energy policy gulf between U.S. presidential candidates Hillary Clinton and Donald Trump is nothing short of historic, leaving the fate of sweeping regulatory initiatives, such as the Clean Power Plan,

Fish & Richardson
Foley & Lardner
Freeborn & Peters
Freshfields
Gibson Dunn
Greenberg Traurig
Hogan Lovells
Holland & Knight
Hunton & Williams
Husch Blackwell
Irell & Manella
Jackson Walker
Jones Day
K&L Gates
Kaye Scholer
Kilpatrick Townsend
Kirkland & Ellis
Klarquist Sparkman
Kobre & Kim
Latham & Watkins
Lerman Senter
Lewis Roca
Locke Lord
Mayer Brown
McCalla Raymer
Morgan Lewis
Morrison & Foerster
Pepper Hamilton
Pietragallo Gordon
Quinn Emanuel
Sedgwick LLP
Sidley Austin
Simmons & Simmons
Skadden
Squire Patton Boggs
Stoel Rives
Strasburger & Price
Stroock & Stroock

hanging in the balance when voters go to the polls this November, policy experts say.

Amtrak's STB Preference Win Tees Up Legal Challenges

The Surface Transportation Board's recent decision confirming that Amtrak has the right of way over cargo traffic on the nation's railways is a major win for the passenger railroad, but experts say it will set off even more battles with freight railroads concerning train delays on limited track.

ENERGY & ENVIRONMENTAL

Greens Urge Judge Not To Toss Aircraft Emissions Suit

Two environmental groups on Friday asked a D.C. federal judge not to dismiss their lawsuit to force the U.S. Environmental Protection Agency to promulgate long-awaited carbon emissions standards for aircraft.

FERC Commissioner Clark Stepping Down Next Month

Tony Clark, the sole Republican on the currently four-member Federal Energy Regulatory Commission and whose term at the commission expired June 30, said he would step down following FERC's September monthly meeting.

EPA Risk Management Rule May Help Terrorists, AGs Say

Eleven attorneys general have asked the U.S. Environmental Protection Agency to reconsider its recently proposed changes to a chemical facility risk management program rule, saying some public disclosure requirements could assist terrorists in planning attacks.

Nevada Top Court Strikes 'Misleading' Solar Ballot Measure

The Nevada Supreme Court has struck down a ballot measure that would have eliminated a new tariff on rooftop solar customers, finding

Taylor English
Taylor Wessing
Thompson & Knight
Weil Gotshal
White & Case
Winston & Strawn
Wolf Greenfield
von Briesen

COMPANIES

AAR Corporation
Allergan PLC
Altman Weil Inc.
American Beverage Association
American Society Of Composers
Authors & Publishers
Association of American Railroads
Bank of America Corporation
Blackboard Inc.
CTIA
Center for Biological Diversity Inc.
Cox Communications Inc.
Edison Electric Institute Inc.
Fluor Corporation
Friedman LLP
Golden State Warriors
Google Inc.
Guitar Center Inc.
Halliburton Company
Henkel AG & Co.
Intellectual Ventures
International Business Machines
Corporation
Janus Capital Group Inc.
LinkedIn Corp.
Lyft Inc.
Madison Dearborn Partners LLC
Microsoft Corporation
NVIDIA Corporation

the measure's description was "not only inaccurate and misleading, but also argumentative."

HEALTH & LIFE SCIENCES

Genetically Modified Mosquitoes' Trial Run Inches Closer

The U.S. Food and Drug Administration on Friday denied two citizen petitions asking the agency to conduct further environmental analysis for a proposed Florida Keys field trial of a genetically engineered mosquito designed with the aim of combating Zika and other diseases, saying that it has done all it must do.

EMPLOYMENT

Houston Schools' Chief Auditor Files Whistleblower Suit

The former chief audit executive of Houston Independent School District who was suspended with pay in March and told to come back to work this week filed a whistleblower lawsuit against the school district Friday in state court in Houston, arguing he was fired for pointing out violations of law he uncovered.

Bangladesh Garment Sector Still Needs Labor Reforms: EU

The government of Bangladesh has taken positive steps to improve labor conditions in the wake of a 2013 garment factory collapse that killed more than 1,000 workers, but there is still considerable work to be done, according to a European Union report issued Friday.

COMPETITION

Menendez Pal Defends Fla. Bid To Ditch Prosecution's Experts

The Florida eye doctor accused of bribing U.S. Sen. Bob Menendez, D-N.J., defended a motion in a separate Medicare fraud case to exclude testimony by the government's newly introduced witnesses, arguing Friday in Florida

National Association of Broadcasters

National Railroad Passenger Corporation

Oracle Corporation

PPR

Pacira Pharmaceuticals Inc.

Pfizer Inc.

Philip Morris USA Inc.

Samsung Electronics Co. Ltd.

Sierra Club

Spotify Technology SA

State Bar of California

StubHub Inc.

Symantec Corporation

Ticketmaster Entertainment, Inc.

Turner Broadcasting System Inc.

Twitter Inc.

U.S. Chamber of Commerce

Uber Technologies Inc.

United States Soccer Federation Inc.

United Technologies Corporation

VirnetX Holding Corporation

Wal-Mart Stores Inc.

Welch Consulting

Zeughauser Group LLC

GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Indian Affairs

Bureau of Industry and Security

Bureau of Labor Statistics

Council on Environmental Quality

Department of Commerce

European Commission

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

federal court that the vast expansion of the case so close to his upcoming trial renders him substantially prejudiced.

PRIVACY & CONSUMER PROTECTION

Baylor U. Wants Title IX Sex Assault Suit Tossed

Baylor University, its former head football coach Art Briles and its former athletic director Ian McCaw are continuing a campaign to have a Title IX lawsuit brought against them by a woman who was raped by a former football player dismissed, arguing the claims were made too late.

GOVERNMENT CONTRACTS

White House Unveils Plan To Cut Federal Mobile Spending

The White House Office of Management and Budget announced a new policy Thursday intended to streamline and improve purchasing of mobile devices and services by federal agencies, seeking to cut down on the \$1 billion in related federal spending each year.

INTERNATIONAL TRADE

Tax Reform Advocates Bash Republicans' Anti-TPP Effort

The National Taxpayers Union has issued a stern rebuke to a group of Republican lawmakers who have urged the White House to hold off on pushing for a vote on the Trans-Pacific Partnership this year, downplaying the lawmakers' fears over currency manipulation and calling the effort "irresponsible."

Feds Restrict Exports Of Nuke Isotope Equipment

The U.S. Department of Commerce announced Friday it is adding equipment used to make an isotope that boosts the yield of nuclear weapons to its list of restricted export items.

Federal Communications Commission
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
International Trade Commission
NAFTA
National Telecommunications and Information Administration
Pinoleville Pomo Nation
San Francisco Bay Area Rapid Transit District (BART)
Securities and Exchange Commission
Surface Transportation Board
U.S. Attorney's Office
U.S. Copyright Office
U.S. Department of Energy
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Senate
U.S. Supreme Court
Wage and Hour Division

No Ruling On S. Korea's Nuke Disaster Safeguards Till 2017

A World Trade Organization dispute settlement panel said Friday that it will not be able to render a decision on the legality of South Korea's restrictions on Japanese food products following a 2011 nuclear disaster until June 2017.

TAX

DC Circ. Revives Tea Party Lawsuits Against IRS

The D.C. Circuit partially restored a pair of lawsuits brought by several conservative advocacy organizations accusing the IRS of targeting them for additional scrutiny, finding Friday that the government had not taken enough steps to address its "admittedly improper" discriminatory criteria.

BANKRUPTCY

Ex-Fla. City Officials Charged In Bribery Scheme

Federal prosecutors charged two former city officials of nearly bankrupt Opa-Locka, Florida, with participating in a two-year-long scheme in which they demanded bribes from business and individuals in exchange for help with permits and other official business with the city.

IMMIGRATION

Backpage Must Comply With Senate Subpoena On Online Ads

Online advertising site Backpage.com must produce documents detailing how it reviews advertisements in its adult section and flags user accounts, after a District of Columbia federal judge ordered it on Friday to comply with a U.S. Senate subpoena in an investigation of sex trafficking.

NATIVE AMERICAN

EPA Presses To Slim Down Maine's Tribal Water Row

The U.S. Environmental Protection Agency continued to press a federal court Thursday to pare down Maine's suit to compel the agency to recognize the state's authority over tribal waters, saying the court lacks jurisdiction over a Clean Water Act claim.

Proposed Tribe Claims BIA Failed To Call For Election

The proposed Ukiah Valley Pomo Indian Tribe lobbed a complaint against the Bureau of Indian Affairs in a California federal court Thursday, accusing the government of violating the Indian Reorganization Act by refusing to allow the group to vote on organizing as a half-blood Native American tribe.

TELECOMMUNICATIONS

FCC Grants School Emergency, Utility Exceptions To Robocalls

The Federal Communications Commission clarified on Thursday the scope of consent required from consumers before schools or utility companies can send automated text messages and robocalls to wireless numbers, saying such communication during emergency situations and service notices doesn't break the law.

Broadcast Standard Concerns 'Unfounded,' NAB Says

The National Association of Broadcasters pushed back Thursday against concerns about a proposed broadcast television standard's effect on wireless communication interests, telling the Federal Communications Commission the new means of signal transmission will not interfere with spectrum licenses purchased in the incentive auction.

EXPERT ANALYSIS

FDA Claims Jurisdiction Over All Tobacco Products

The U.S. Food and Drug Administration's new rule regulating all tobacco products, including e-cigarettes, has been met with significant pushback by the industry. But all court proceedings remain pending and until a court or the FDA says differently, the new rule will take effect as scheduled, on Aug. 8, 2016, says Paul Cicelski at Lerman Senter PLLC.

5th Circ. Haze Ruling May Cloud Clean Air Act Litigation

The Fifth Circuit, in *State of Texas v. U.S. Environmental Protection Agency*, recently issued an important decision on venue and jurisdiction in challenges to EPA rules promulgated under the Clean Air Act. However, the issues addressed in the court's ruling potentially have ramifications beyond this litigation and could also affect other suits under different provisions of the CAA, say attorneys at Jackson Walker LLP.

It's Time To Loosen The Limitations On BDC Investors

Business development companies face challenges raising money due to a quirk in the federal securities laws that limits how much mutual funds can invest in them. But if participants in the capital markets raise their voices, there is some hope that the U.S. Securities and Exchange Commission will ease the restriction, says Kelley Howes, of counsel at Morrison & Foerster LLP and former general counsel of Janus Capital Group Inc.

Song Stays Pretty Much The Same For ASCAP, BMI

The U.S. Department of Justice's decision to keep the core of the ASCAP and BMI consent decrees intact sidesteps a closely watched, hotly contested issue that has captured the eyes, ears and keyboards of music industry titans and digital music entrepreneurs alike —

whether to permit "partial withdrawals," says Daniel Vitelli of Constantine Cannon LLP.

5 Open Questions On-Risk Retention

Almost two years have passed since final rules for asset-backed securities risk retention were released. However, a number of important questions regarding the scope of the rules and the ways in which they can be complied with still lack definitive answers, says Ariel Kronman of Weil Gotshal & Manges LLP.

9 Tips For Becoming A Legal Pundit In The Media

Have you ever been reading your morning paper or watching the nightly news, and found yourself wondering, "How did that lawyer get on TV? I could do that." If you've decided you want to start putting yourself or your law firm in the public light but feel at a loss about how to start, there are several steps you can take to get noticed, says Annie Scranton at Pace Public Relations.

LEGAL INDUSTRY

Litigation Powerhouse: Latham & Watkins

Its deft handling of complex litigation matters across a broad range of practice areas has primed Latham & Watkins LLP as the turn-to firm for the likes of such established names as Oracle Corp., Cox Communications and the United States Soccer Federation this past year, placing it among Law360's Litigation Powerhouses.

3 Ways Firms Got A Leg Up In The First Half Of 2016

In today's cutthroat legal market, law firms have to be creative to get ahead, ushering in a new era where old-school ideas and traditions are eschewed and innovation is imperative. Here are three big changes firms have made in 2016 to get a leg up on the competition.

3 UK Firms Hit Attys With Pay Freezes, Layoffs Over Brexit

Attorneys with London-based firms Simmons & Simmons, Addleshaw Goddard and Gowling WLG got some unpleasant news this week in the form of pay freezes and layoffs as a result of the uncertainty facing the legal profession in Britain since the country voted to leave the European Union.

Legal Sector Still Lethargic, Loses 200 Jobs In July

Legal sector jobs in the U.S. continue to stagnate, with employment in legal services declining slightly in July following a monthslong plateau, according to the U.S. Bureau of Labor Statistics' monthly jobs report, released on Friday.

9th Circ.'s Kozinski Slams Calif. AG For Overlong Brief

Ninth Circuit Judge Alex Kozinski took a hard line on too-long briefs on Thursday, saying in a fiery dissent accompanying an otherwise routine order allowing California's attorney general to file an oversized brief that submitting verbose papers has become a "common and rather lamentable practice."

GC Cheat Sheet: The Hottest Corporate News Of The Week

The Chamber of Commerce sues over rules that discourage corporate inversions; the government looks into security measures for Fitbits and Nest thermostats; and Subway, dogged by franchisees' wage-and-hour violations, teams up with the U.S. Department of Labor for an education push. Those stories top the corporate legal news you may have missed last week.

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

JOBS

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From: Public Policy Law360
Sent: Tuesday, August 9, 2016 5:22 AM
To: Rep93
Subject: Trump's Econ Speech Leaves FinReg Questions Unanswered



PUBLIC POLICY

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Tuesday, August 9, 2016



TOP NEWS

Trump's Econ Speech Leaves FinReg Questions Unanswered

Republican presidential nominee Donald J. Trump said Monday that he intends to put a hold on any new regulations if he takes office next January, but that statement could come into conflict with his previously stated desire to rewrite the financial regulatory landscape.

SBA Proposes To Overhaul Small Business Loan Programs

The U.S. Small Business Administration on Monday issued a proposed rule to clarify and update the terms of several of its small business loan programs, saying it hopes the proposed changes will encourage broader use of those loans.

EPA To Pay \$1M More For Gold King Mine Spill

The U.S. Environmental Protection Agency said Friday it will pay out an additional \$1.15 million to tribes, states and local governments affected by last year's Gold King Mine disaster, which

LAW FIRMS

Alston & Bird
Altshuler Berzon
Ballard Spahr
Beasley Firm
Cadwalader Wickersham
Caplin & Drysdale
Charhon Callahan
Dewey & LeBoeuf
Dilworth Paxson
Finkelstein Blankinship
Foley Hoag
Gibson Dunn
Greenberg Traurig
Gupta Wessler
Harmon Curran
Hogan Lovells
Jacoby & Meyers
Jenner & Block
Jones Day
Law Offices of Stewart and Stewart

spilled millions of gallons of wastewater into a river system that flows through Navajo lands.

Jacoby & Meyers Suit Sunk By 3rd Circ. Ruling, 2nd Circ. Told

The First Amendment argument underlying Jacoby & Meyers LLP's fight to lift New York's prohibition on nonlawyer investment in law firms is fatally flawed in light of a July decision from the Third Circuit, the New York attorney general's office told the Second Circuit on Monday.

Baltimore Lawmakers Vote To Up Minimum Hourly Wage To \$15

The Baltimore City Council voted on Monday to preliminarily approve a plan to raise the city's minimum wage to \$15 per hour by 2022, the same day that activists in Minneapolis asked a Minnesota state judge to overturn a decision by lawmakers not to place a similar wage measure on the November ballot.

Amazon Japan Raided By Antitrust Watchdog Over Pricing

The Japanese affiliate of Amazon.com Inc. had its offices raided Monday by Japan's antitrust watchdog, which is investigating claims the online retailer forced companies to lower prices in order to undercut online rivals, according to news reports.

ANALYSIS

Small-Cable Chief Knocks 'Jekyll And Hyde' FCC Policies

The Federal Communications Commission under Chairman Tom Wheeler has emerged as an aggressive but uneven regulatory force that continually discounts the needs of small businesses, American Cable Association President and CEO Matt M. Polka told Law360.

CPSC Chair Kaye Eyes Safety Risks In New Technologies

McDermott Will
MoloLamken LLP
Motley Rice
Nichols Kaster
Olswang LLP
Paul Weiss
Quinn Emanuel
Reed Smith
Sandler Travis
Squire Patton Boggs
Steptoe & Johnson LLP
Stoel Rives
Stroock & Stroock
Sutherland Asbill
Weitz & Luxenberg
Winston & Strawn

COMPANIES

AK Steel Holding Corp
Amazon.com Inc.
America Fujikura Ltd.
American Bar Association
American Cable Association
American Chemistry Council Inc.
American Federation of Labor and Congress of Industrial Organizations
American Health Care Association
American Hospital Association
American Society Of Composers Authors & Publishers
ArcelorMittal
BTI Consulting Group Inc.
Bank of America Corporation
Berkshire Hathaway Inc.
Bipartisan Policy Center
British Broadcasting Corp.
Broadcast Music Inc.
Citrin Cooperman

Among the biggest challenges Chairman Elliot Kaye of the Consumer Product Safety Commission faces is assessing the risks to consumers posed by emerging technologies like 3-D printing and "internet of things" devices. Catching those threats before such devices hit the marketplace is among the top priorities for the CPSC this year, Kaye told Law360.

DOJ Enviro Enforcement To Get More Tech-Savvy, Cruden Says

The U.S. Department of Justice's environmental law enforcement efforts will increasingly rely on technology both to ferret out wrongdoing and monitor compliance with settlements, one of three ways enforcement will evolve in years to come, the DOJ's top environmental lawyer, John Cruden, told Law360 in an exclusive interview.

Current Unclaimed Property Law May Lead To Suits Abroad

Businesses that frequently end up being the holders of unclaimed property in the U.S., such as those that issue prepaid checks and gift cards, could be subject to lawsuits in foreign countries if Delaware gets away with what experts say is an overly aggressive stance on where such property should be escheated.

ENERGY & ENVIRONMENTAL

DC Circ. Won't Rehear Nuclear Waste Storage Rule Finding

The D.C. Circuit on Monday denied an en banc review of a panel ruling that upheld the U.S. Nuclear Regulatory Commission's justification for allowing spent nuclear fuel to be stored on-site at active facilities.

MEDIA & ENTERTAINMENT

Ex-Pa. Justice, Lawyers Could Testify In AG's Perjury Trial

A former justice of the Pennsylvania Supreme Court and several prominent state attorneys

Comcast Corporation
EMI Group Ltd.
Edge International Inc.
Facebook
Fox Entertainment Group
Google Inc.
HSBC Holdings PLC
Immigration Reform Law Institute
Inter IKEA Systems BV
Lyft Inc.
MasterCard Incorporated
McLane Company Inc.
MoneyGram International, Inc.
National Cable & Telecommunications Association
National Employment Law Project
National Right to Work Legal Defense Foundation
Natural Resources Defense Council
Netflix Inc.
Pandora Media Inc.
PayPal Inc.
Santander Consumer USA Holdings Inc.
Snapchat Inc.
Sony/ATV Music Publishing LLC
Temple-Inland Inc.
U.S. Chamber of Commerce
Uber Technologies Inc.
United Steelworkers
UnitedHealth Group Inc.
Vodafone Group plc
Wal-Mart Stores Inc.
Wells Fargo & Co.
Yahoo! Inc.

GOVERNMENT AGENCIES

California Environmental Protection Agency

could be among those taking the witness stand in Attorney General Kathleen Kane's perjury trial, a judge revealed during jury selection in the case on Monday.

TRANSPORTATION & INFRASTRUCTURE

Gibson Dunn Fights Testimony Demand In Bridge Scandal

Gibson Dunn, the firm New Jersey Gov. Chris Christie hired to investigate the George Washington Bridge lane-closing scandal, is fighting subpoenas to put its attorneys on the witness stand at the trial of two former public officials charged in connection with the massive traffic snarl, saying such testimony would be irrelevant and may intrude on attorney-client privilege.

EMPLOYMENT

Tech Union Nabs \$42K From DHS In Foreign Student Work Row

A Washington, D.C., federal judge ruled Monday that the U.S. Department of Homeland Security has to pay a technology workers union more than \$42,000 in a dispute over a work program for F-1 student visa holders, far less than the \$465,000 the group had sought.

Steelworkers Union Cheers Latest Trade Case Ruling

Leaders within the United Steelworkers on Monday told their union members that the U.S. Department of Commerce "made the right call" last week when it finalized new import tariffs on shipments of hot-rolled steel from seven countries, asserting that the duties will help improve the industry climate.

Chamber Seeks Quick Ruling On Law Allowing Uber Unions

The U.S. Chamber of Commerce asked a federal judge Friday to move forward on deciding whether a first-of-its-kind Seattle

Centers for Medicare & Medicaid
Services

Commodity Futures Trading
Commission

Consumer Financial Protection
Bureau

Consumer Product Safety
Commission

Department of Commerce

European Commission

Federal Communications
Commission

Federal Deposit Insurance Corp.

Federal Trade Commission

Food and Drug Administration

Internal Revenue Service

International Chamber of
Commerce

International Trade Administration

International Trade Commission

NAFTA

Navajo Nation

Nuclear Regulatory Commission

Port Authority of New York & New
Jersey

Small Business Administration

Southern Ute Indian Tribe

U.S. Army

U.S. Attorney's Office

U.S. Coast Guard

U.S. Customs and Border
Protection

U.S. Department of Health and
Human Services

U.S. Department of Homeland
Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

ordinance allowing Uber and Lyft drivers to unionize violates antitrust law, arguing the court should not delay even though the city has asked to postpone the measure's implementation.

Right To Work Foundation Defends W.V. Right To Work Law

The National-Right to Work Foundation said Monday it is filing a friend-of-the-court brief in West Virginia state court in support of the state's recently enacted Right to Work law, which allows employees to opt-out of paying union fees.

COMPETITION

Silver Can't Lean On Skelos Case For Bail Bid, Judge Told

Prosecutors urged a New York federal judge to reject former New York State Assembly Speaker Sheldon Silver's bid to stay out of prison pending the appeal of his corruption conviction, saying Silver's arguments aren't strengthened by another ex-politician's successful bail motion in a supposedly similar case.

PRIVACY & CONSUMER PROTECTION

HSBC, DOJ Reach Deal On Military Members' Repo'd Cars

HSBC Finance Corp. repossessed 75 vehicles owned by soldiers while they were on duty, even trying to take back a car on a guarded military base, according to a lawsuit by the U.S. Department of Justice settled in Illinois federal court on Monday.

Feds Target Social Media Abuse Of Nursing Home Patients

Federal regulators on Friday directed state inspectors to begin scrutinizing efforts by nursing homes to protect elderly residents from being degraded on social media by staff

U.S. Environmental Protection Agency

U.S. Senate

U.S. Supreme Court

World Health Organization

members, a move prompted by dozens of disturbing posts in recent years.

GOVERNMENT CONTRACTS

Blagojevich's Resentencing Marks New Era In Old Case

When former Illinois Gov. Rod Blagojevich sits down in front of the camera Tuesday to broadcast his image into a federal courtroom in Chicago for his resentencing hearing, it will be the public's first glimpse at how the man at the center of a massive corruption probe has weathered the seven years since his indictment.

INTERNATIONAL TRADE

WTO Boss Makes Trade Pitch To Silicon Valley Heavyweights

World Trade Organization Director-General Roberto Azevedo on Friday continued to push for a bigger place for e-commerce and tech sector priorities in the next phase of trade rulemaking, making his case to representatives from Facebook, Google, PayPal and other industry titans.

TAX

2nd Time's The Charm For Would-Be Tax Preparers Class

A D.C. federal judge reversed course Monday and fully granted class certification to tax preparers challenging fees the IRS charges for tax preparer identification numbers, ruling the court does in fact have jurisdiction even over their restitution bid.

RETAIL & E-COMMERCE

Texas Moves To Nix Business Group's Alcohol Regulator Suit

The state of Texas on Friday told a federal judge to dismiss a suit brought against it by the Texas Association of Business claiming that the

Texas Alcoholic Beverage Commission selectively enforces its own standards regarding liquor sales licensing because the claims aren't factual and are also barred by the Eleventh Amendment.

EXPERT ANALYSIS

The Nation's Transportation Future Is Increasingly Local

The Fixing America's Surface Transportation Act contains some changes in federal law that will drive policy, but doesn't contain appreciable increases in transportation funding beyond inflation adjustments and, perhaps worse of all, doesn't address the structural issues in the way surface transportation is funded, says Jeff Mullan at Foley Hoag LLP.

Rising Pressure For Renewable Fuel Credit Market Inquiries

The Renewable Fuels Association's call for an investigation of the renewable identification number markets raises the potential that the U.S. Environmental Protection Agency and the U.S. Commodity Futures Trading Commission will take real steps to explore the recent volatility in RIN prices, which could lead to requests for information from market participants and even enforcement actions, say attorneys at Sutherland Asbill & Brennan LLP.

TPP Brings Changes To US Merchandise Processing Fee

A recent proposal to change the structure and amount of the merchandise processing fee on imports and exports to bring it into compliance with the terms of the Trans-Pacific Partnership might have significant financial effects for large importers, says Jennifer Smith at the Law Offices of Stewart and Stewart.

The Broken Science Behind Proposition 65

California's Safe Drinking Water and Toxic Enforcement Act of 1986, known by its more

popular name as Proposition 65, is in need of a critical overhaul after 30 years of capricious enforcement. While the law's mission may seem noble, the application of this poorly drafted initiative is nothing less than a categorical failure, say Jeffrey Dintzer and Dana Lynn Craig at Gibson-Dunn & Crutcher LLP.

OPINION: DOJ Got It Right On ASCAP, BMI Consent Decrees

The ASCAP and BMI consent decrees are a good deal for music creators, owners and users. The changes proposed by the performing rights organizations and music publishers were unnecessary at best, and at worst would cause significant harm to the market, says David Balto, a former policy director at the Federal Trade Commission.

LAW360 IN-DEPTH

BigLaw's Diversity Problem Puts It On Collision Course With Millennials

If law firms don't make immediate strides toward becoming more inclusive, they risk alienating the next generation of lawyers, who are highly attuned to institutional bias and increasingly vocal about eradicating it.

Porn, Politics And The Undoing Of Kathleen Kane

Some say Pennsylvania Attorney General Kathleen Kane sought to shed light on a boys club culture when she released emails that sparked the "Porngate" scandal, and others say it was a distraction and retaliation ploy — two narratives that vie for legitimacy as she heads to trial on perjury charges.

Unbiased Jurors Will Be Tough To Find As Trump U. Cases Progress

The judge overseeing a pair of Trump University lawsuits faces the challenge of navigating competing goals: moving the cases along and finding juries that have not been tainted by the presidential election.

LEGAL INDUSTRY

3 Ways Firms Are Letting Clients Down

Many law firms manage to resoundingly fail at offering clients the services they need in a manner they desire, despite their ability to provide sound legal advice, leading to broken relationships and lost business. Here, experts detail three ways firms are letting clients down.

Cadwalader Axes 2017 DC Summer Program After Departures

Cadwalader Wickersham & Taft LLP has canceled next year's summer program for impending law school graduates run by its Washington, D.C., office, a decision that came after the office lost four antitrust partners to Paul Weiss Rifkind Wharton & Garrison LLP.

Ex-Dewey Exec Presses To Bar Evidence In 2nd Trial

Dewey & LeBoeuf LLP's former chief financial officer on Monday reaffirmed his bid to block a broad swath of evidence and government arguments from the upcoming second New York trial alleging a scheme to defraud Dewey's financial backers prior to its collapse.

ABA Delegates OK Sweeping Anti-Discrimination Rule

The American Bar Association's policy-making body passed a controversial "black letter" rule change Monday prohibiting attorneys from

discriminatory or harassing behavior in their law practices.

Litigation Powerhouse: Hogan Lovells

Hogan Lovells has seized on its impressive global reach and deep bench of attorney talent to successfully navigate clients ranging from Google and Fox Entertainment Group to Anthem and Barclays through complex disputes over issues such as online censorship, intern pay and purported contractual violations, earning the firm a spot among Law360's Litigation Powerhouses.

Olswang Revenues Down 10% After Greenberg Traurig Exodus

Olswang LLP's revenues dropped 10 percent to £113 million in the last fiscal year, which the London-based firm attributes to the shuttering of its Berlin office and subsequent decampment of the Berlin team to Greenberg Traurig LLP.

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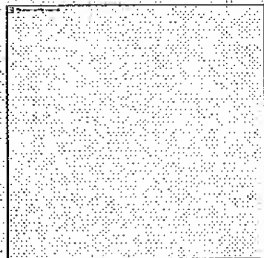
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From: The Buckeye Institute
Sent: Wednesday, August 10, 2016 2:22 PM
To: Rep93
Subject: Can your local government share?



In the News

Dear Friend,

Sharing government-owned equipment on the local level is a great way to increase efficiencies and save taxpayers money. It's something The Buckeye Institute has been promoting for years, and Ohio's most populated county just got on board.

As reported in today's Plain Dealer, Cuyahoga County will participate in Share Ohio, a program led by Auditor of State Dave Yost enabling communities to share, rather than buy, equipment for public projects. Now Cuyahoga localities will be able to use the county's asphalt pavers, dump trucks, and other tools.

Every Ohio county and community should take notice. As I wrote recently in a story picked up by the American Enterprise Institute, Ohio faces a \$1.1 billion hole in its next biennium budget, \$400 million of which will affect localities and transit authorities. Local officials should not expect state subsidies to fill that gap. They'll have to find savings.

That's where services like Share Ohio can help. In a 2014 Buckeye report, I noted how subsidies and higher taxes will only impede the real catalyst that moves our communities forward:

Ultimately, the long-term fiscal health of the state's local governments will be determined by Ohio's economic growth, not by perpetual state subsidies

or the redistributive preferences embodied in revenue sharing. By slowly beginning to reform Ohio's revenue sharing system, Ohio policymakers are embracing a new approach to government spending that will empower local taxpayers to assert greater control over local decisions and facilitate local governments' rethinking on how they operate.

Cuyahoga County officials are rethinking their approach to managing local government. By following their lead, other Ohio counties can share in their savings and success.

Best,

Greg R. Lawson

Senior Policy Analyst

The Buckeye Institute

88 East Broad Street, Suite 1120 | Columbus, Ohio 43215

(614) 224-4422 | BuckeyeInstitute.org

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Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

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Sent by info@buckeyeinstitute.org

From: NCSL TODAY

Sent: Thursday, August 11, 2016 10:41 AM

To: Rep93

Subject: U.S. will affirm its prohibition on medical marijuana

NCSL Today | Live from Chicago



Wisconsin Speaker of the House Robin Vos joins us in this eVideo update to talk about the NCSL business meeting that he presided over as well as some of the other sessions he attended while in Chicago. He also discusses next year's plans for the Summit in Boston



HIGHLIGHTS

Election 2016 with Mara Liasson of Fox News and NPR

Whether it's a nail-biter or a landslide, the 2016 election will bring tremendous change to the presidency, Congress and the states.

TOP NEWS Aug. 11, 2016

U.S. will affirm its prohibition on medical marijuana today

The Washington Post

The government on Thursday will refuse again to allow the use of marijuana for medical purposes, reaffirming its conclusion that the drug's therapeutic value has not been proved scientifically, according to government officials, and defying a growing clamor to legalize it for the treatment of a variety of conditions.

NCSL resolution urging feds to remove marijuana from Schedule 1 list cited.

As technology evolves, public disclosure gets more complicated for state legislatures

RouteFifty.com

As compliance with public disclosure laws becomes increasingly complicated in an era of cloud servers, smartphones and messaging apps, a panel of experts Monday offered a window into the sometimes tricky terrain state legislatures navigate when maintaining and releasing records. **Coverage of NCSL Legislative Summit session.**

State governments eye cash from fantasy sports

The Hill

State legislators across the country are preparing for a nationwide battle over the booming and largely unregulated daily fantasy sports industry.

Appeals court stays ruling on Wisconsin voter ID law

Associated Press

A federal appeals court on Wednesday blocked a pathway for

Mara Liasson, political pundit for Fox News Sunday and NPR, gives us the insider's view on 2016 politics and what it all may mean during a 12:15 p.m. general session.



NCSL applauds appeals court decision on FCC

NCSL recognizes outstanding legislative documents

New York Senate website takes top award at Summit



Who should elect the president?

Wisconsin residents without the required photo identification to vote in the presidential election just three months away.

NCSL resources on voter ID.

Judge blocks West Virginia right-to-work law

Charleston Gazette-Mail

In issuing the injunction, Judge Jennifer Bailey said that until legal questions about the law can be resolved, enforcement of it could cause irreparable harm to unions and union workers.

Are animal hoarders criminals?

Stateline

Reports of animal hoarding are on the rise, leaving states and localities deciding whether to prosecute or deal with the underlying mental problem that leads to it.

Have you ever tried to explain to someone who does not follow politics how we elect the president? You always get to that uncomfortable moment where you have to say: No, voters don't actually elect the president, the members of the Electoral College elect the president.



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From: Public Policy Law360
Sent: Friday, August 12, 2016 4:52 AM
To: Rep93
Subject: SEC Shows No Patience For Muzzling Whistleblowers



PUBLIC POLICY

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Friday, August 12, 2016



TOP NEWS

SEC Shows No Patience For Muzzling Whistleblowers

The U.S. Securities and Exchange Commission on Wednesday took aim at severance agreements that prevent whistleblowers from collecting cash for their tips, making clear that the agency has no patience for impeding whistleblowing in any form and suggesting it may impose even broader requirements on employers that step out of line.

Clinton Says She'll Move Beyond Dodd-Frank's Bank Rules

Former Secretary of State Hillary Clinton on Thursday said that she intends to tighten financial regulations if she wins the presidential election in November even as she hopes to roll back red tape in order to spur lending by community banks and credit unions.

W.Va. Judge Stops Right-To-Work Law After Union Challenge

A West Virginia judge temporarily blocked the state from enforcing its right-to-work law on

LAW FIRMS

Akin Gump
Alston & Bird
BakerHostetler
Ballard Spahr
Burr & Forman
Clarence Dyer
Cravath Swaine
Dechert
Fenwick & West
Fox Rothschild
Gibbons PC
Gibson Dunn
Gonzalez Saggio
Harkins Cunningham
Hunton & Williams
Jackson Lewis
Jones Day
Katz Marshall
King & Spalding
Labaton Sucharow
Latham & Watkins

Wednesday, delivering a win to the AFL-CIO and a coalition of other unions that argued the law violates the state constitution.

DEA Expands Marijuana Research But Won't Reclassify Drug

The U.S. Drug Enforcement Administration on Thursday said that it has denied two petitions to reschedule marijuana under the Controlled Substances Act, but has increased the number of manufacturers allowed to supply researchers with the plant.

Texas Voter Accommodation Plan OK'd After ID Law Tossed

A Texas federal judge on Wednesday signed off on an interim plan that allows Texans to vote without photo identification in November, while the state continues to fight a court ruling that the controversial voter ID law violated the Voting Rights Act by imposing an unfair burden on minorities.

ANALYSIS

Former WTO Deputy Sees Long Slog Toward New Trade Talks

The ongoing effort to craft a new negotiating agenda at the World Trade Organization has been slow to develop, and former WTO Deputy Director-General Rufus Yerxa told Law360 that there likely won't be any meaningful outcomes in Geneva until at least the middle of next year.

Privacy Policy To Watch For The Rest Of 2016

With the presidential election looming, Congress is likely to limit itself to must-do tasks such as deciding whether to block a proposed rule change that would expand judges' authority to give the FBI access to private computers. But other policymakers such as the Federal Communications Commission and state lawmakers are expected to step in and push to revamp the rules surrounding topics including

Mayer Brown
Morrison & Foerster
Munger Tolles
Orrick Herrington
Pashman Stein
Paul Hastings
Paul Weiss
Pepper Hamilton
Pietragallo Gordon
Prince Lobel
Proskauer Rose
Reed Smith
Richards Rodriguez
Sidley Austin
Skadden
Steptoe & Johnson LLP
Thompson Hine
Turner Boyd
Walder Hayden
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Winston & Strawn

COMPANIES

AAR Corporation
AT&T Inc.
America Fujikura Ltd.
America's Health Insurance Plans
American Bar Association
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations
American Hospital Association
American Society Of Composers Authors & Publishers
American Trucking Associations Inc.
Apple Inc.
Association of American Railroads
AstraZeneca

broadband privacy and the use of biometric identifiers, attorneys say.

How Mass. Employers Should Prep For New Pay Equity Law

Massachusetts' sweeping new law against gender pay inequality doesn't go into effect for another two years, but employment attorneys in the Bay State are already preparing for a new regulatory regime that experts say will likely result in broad revisions to hiring policies and an increase in lawsuits. Here are six things employers should do to get ready.

ENERGY & ENVIRONMENTAL

EPA Lets Tribe Develop Water Quality Standards Under CWA

A California Native American tribe will be able to develop its own water quality standards within its reservation under the federal Clean Water Act just as states are authorized to do, the U.S. Environmental Protection Agency announced on Wednesday.

New Coal Plant Wastewater Rules Already In Trouble: Report

New federal regulations to reduce toxic water pollution from coal-fired power plants could be undermined by severe delays in installing pollution control equipment, backlogs of expired coal plant permits and weak oversight, an environmental nonprofit said Thursday.

Gov't Urges Justices To Back 9th Circ. On Sturgeon Habitat

The federal government has urged the U.S. Supreme Court not to disturb a Ninth Circuit ruling that upheld the designation of 8.6 million acres in California, Oregon and Washington as critical habitat for the threatened green sturgeon.

HEALTH & LIFE SCIENCES

Bank of America Corporation
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Bristol-Myers Squibb Company
CSX Corporation
Canadian National Railway Company
Chevron Corporation
Citigroup Inc.
Comcast Corporation
Credit Suisse Group AG
DTE Energy Company
Deloitte Touche
Delta Air Lines Inc.
Deutsche Bank AG
Electronic Frontier Foundation
Facebook
Fannie Mae
FedEx Corporation
Freddie Mac
GNC Corporation
Goldman Sachs Group Inc.
Google Inc.
Humana Inc.
International Brotherhood of Teamsters
Internet Corporation for Assigned Names and Numbers
KBR, Inc.
Kentucky Derby
Lawyers' Committee for Civil Rights Under Law
Liberty Mutual
Microsoft Corporation
NBCUniversal Inc.
NJ Transit Corp.
National Association of Broadcasters
National Railroad Passenger Corporation

Feds Float New ACA Help For Insurers, See Costs Easing

Federal regulators on Thursday floated new protections to shield Affordable Care Act insurers from high-cost enrollees, while simultaneously asserting that "very encouraging" data show overall costs stabilizing in ACA marketplaces.

IP & TECHNOLOGY

TechFreedom Urges Congress To Block Internet Transition

Advocacy group TechFreedom led a coalition of conservative organizations and others Wednesday in urging the U.S. House of Representatives to block, with a lawsuit if necessary, the planned transfer of sole American control over internet address and domain name management.

MEDIA & ENTERTAINMENT

Political Adviser Says Pa. AG Ordered Grand Jury Leak

A political operative told a Pennsylvania jury on Thursday that he conspired with the state's embattled attorney general to leak confidential investigative material to the press and later fabricated a story with her to pin the crime on a top deputy.

Media Co. Loses NJ Appeal To Access Bridge Scandal Names

A New Jersey news outlet on Thursday lost its bid to access the identities of Gov. Chris Christie administration figures who had sought legal representation amid the investigation of the George Washington Bridge lane closures, after an appeals court ruled the information isn't a public record.

TRANSPORTATION & INFRASTRUCTURE

National Right to Work Legal Defense Foundation

New York Times Co.

Norfolk Southern Corporation

PG&E Corporation

Pacific Legal Foundation

Pandora Media Inc.

PayPal Inc.

Perry Capital LLC

PricewaterhouseCoopers

Public Company Accounting

Oversight Board

R.J. Reynolds Tobacco Co.

State Bar of California

Taylor Bean & Whitaker Mortgage Corp.

TechFreedom

The Bank of New York Mellon Corporation

Time Warner Cable

Union Pacific Corporation

UnitedHealth Group Inc.

GOVERNMENT AGENCIES

Chickasaw Nation

Choctaw Nation of Oklahoma

Commodity Futures Trading Commission

Congressional Budget Office

Consumer Financial Protection Bureau

Department of Commerce

Drug Enforcement Administration

Equal Employment Opportunity Commission

Federal Bureau of Investigation

Federal Communications Commission

Federal Emergency Management Agency

Federal Housing Finance Agency

NY Cannot Divert Truck Tolls To Maintain Canals, Judge Says

A New York federal judge ruled Wednesday that the state improperly diverted toll revenues collected from commercial trucks to maintain canals upstate, handing truckers a major win in their proposed class action claiming the practice was unconstitutional and violated the Commerce Clause.

NJ, NY Officials Clash Over Design Contest For Bus Terminal

Elected officials from New Jersey on Thursday urged the Port Authority of New York and New Jersey to continue with a design competition for a new bus terminal and expressed confidence that the process would be transparent, a day after New York officials reiterated their call to terminate the contest amid concerns that the public has been shut out.

Challenges To STB On-Time Rule Gain Steam In DC Circ.

The nation's largest railroads on Tuesday mounted a D.C. Circuit challenge alleging the Surface Transportation Board overstepped its authority when it finalized a rule last month defining what it considers an on-time Amtrak train arrival or departure when investigating railroads for delays.

PRIVACY & CONSUMER PROTECTION

Standards Agency Calls For Public Input On Cybersecurity

A federal standards-setting agency used Wednesday's Federal Register to appeal to the public for input on cybersecurity problems in the digital economy and their solutions, information it plans to use when advising a federal task force on cybersecurity.

TAX

UK Tax-Friendly Investment Funds May Face Reporting Rules

Federal Railroad Administration
Federal Trade Commission
Financial Crimes Enforcement Network
Food and Drug Administration
Government Accountability Office
Hopi Tribe
Internal Revenue Service
International Trade Commission
National Economic Council
National Institute of Standards and Technology
National Labor Relations Board
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
National Park Service
National Telecommunications and Information Administration
Navajo Nation
New York Attorney General's Office
New York Power Authority
Occupational Safety and Health Administration
Permanent Court of Arbitration
Port Authority of New York & New Jersey
Securities and Exchange Commission
Social Security Administration
Southern Ute Indian Tribe
Surface Transportation Board
Tennessee Valley Authority
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor

The United Kingdom is planning to impose reporting requirements on the country's new tax-incentivizing investment vehicles, according to a government paper containing proposals to hand over investor information to Her Majesty's Revenue and Customs.

IRS May Be Awarding Contracts To Tax Delinquents

The IRS may be violating statutory requirements to not grant contract awards to corporations with unpaid federal tax liabilities, because the agency lacks an effective process for identifying tax-delinquent contractors, according to a July 20 report made public Wednesday.

IMMIGRATION

Most DACA Enrollees Reapplying For Deportation Relief

Ninety-three percent of Deferred Action for Childhood Arrivals participants who are eligible to apply for renewal have done so, though hundreds of thousands of eligible immigrants have failed to apply for the program in the first place, the Migration Policy Institute said Thursday.

NATIVE AMERICAN

9th Circ. Remands Navajo's Suit To Consider Other Tribes

After reviving the Navajo Nation's suit seeking the return of human remains and funerary objects taken from its reservation by the National Park Service earlier this year, the Ninth Circuit remanded the case on Wednesday to figure out whether any of the other tribes with connections to the items are necessary parties.

Chickasaw, Choctaw, Okla. Reach Water Rights Deal

The Chickasaw and Choctaw Nations, the state of Oklahoma and Oklahoma City announced on Thursday that they had arrived at a deal poised

U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Supreme Court

to end a long-running water-rights dispute, once it receives approval from Congress.

Navajo Leader Urges Expedited Gold King Compensation

The speaker of the Navajo Nation Council has called on the federal government to accelerate the process for compensating farmers and livestock owners impacted by last year's Gold King Mine disaster, which spilled millions of gallons of wastewater into a river system that flows through the tribe's lands.

TELECOMMUNICATIONS

Media Market Cross-Ownership Rules Are Upheld By FCC

The Federal Communications Commission Wednesday refused to ease ownership rules for local media companies despite complaints that the restrictions are outdated for the modern media landscape, an agency official confirmed.

Prison Tech Co. Promises FCC Rate Caps Challenge

A prison technology provider revealed its plans Thursday to file a legal challenge to the newly raised Federal Communications Commission rate caps on inmate phone calls, saying the caps are still too low.

FCC Limits Some Debt-Collection Robocalls To 3 Per Month

Collectors of federally backed debts, like some mortgages and student loans, cannot call or text consumers more than three times a month, the Federal Communications Commission said Thursday, adding a new wrinkle to the body of Telephone Consumer Protection Act rules it's been constructing in recent months.

FCC Approves 3 New Warning Codes For Severe Weather

The Federal Communications Commission on Wednesday finalized three new codes for the U.S. Emergency Alert System to provide to

broadcasters for notifying the public of emergencies and dangers to life and property.

PEOPLE

Obama Taps Ex-Congressional Staffer As ITC Vice Chair

President Barack Obama informed lawmakers on Thursday that he has appointed former congressional staffer and trade attorney David Johanson to serve as vice chairman of the U.S. International Trade Commission.

SEC Names New Co-Head Of Investment Adviser Exams

The U.S. Securities and Exchange Commission has tapped one of its leaders on the West Coast to co-head its investment adviser examination program, the regulator said on Wednesday.

EXPERT ANALYSIS

Why The Government's Wall Of Secrecy Must Fall

In recent years, investors in Fannie Mae and Freddie Mac have challenged the federal government in court, following the government's decision to hide thousands of documents in the name of executive privilege. This case has critical implications for the transparency and accountability of the government's actions, says Saikrishna Prakash, the James Monroe Distinguished Professor of Law at the University of Virginia Law School.

A Look At New Treasury Rules For Family Entities

The U.S. Department of the Treasury recently proposed regulations that will likely increase the value of intrafamily transfers of equity interests in a family-controlled business entity and also increase the number of valuation disputes between taxpayers and the government, says Mark Conway of Thompson Hine LLP.

Crackdown On Money Laundering In Real Estate Is Expanding

Some in the real estate industry were skeptical about whether the Financial Crimes Enforcement Network's geographic targeting orders focused on Manhattan and Miami-Dade would be effective in curbing money laundering. It appears, however, that FinCEN's early efforts have produced valuable leads for law enforcement, says Matthew Lee of Fox Rothschild LLP.

Can CMS Curtail The Medicare Appeals Backlog?

The Centers for Medicare and Medicaid Services has struggled to adopt measures to lessen the Medicare appeals backlog, as previous approaches included reliance on insufficient technological advancements. However, the most significant modification in its newly proposed rule focuses on the adoption of precedential decisions, say Scot Hasselman and Rahul Narula at Reed Smith LLP.

FLSA Compliance And The Fluctuating Workweek Method

In light of the U.S. Department of Labor's announced change to the minimum salary required to maintain salary-exempt status under the Fair Labor Standards Act, many employers are considering the adoption of the fluctuating workweek method. Clark Spoden at Burr & Forman LLP details how to implement the method for nonexempt employees after the minimum salary requirement goes into effect for exempt employees.

The Evolution Of EPA's Source Determination Rule

Although inconsistent source determinations will continue, it appears the three factors the U.S. Environmental Protection Agency uses to define "adjacent" for sites under common control in its new source determination rule will bring long-awaited clarity in onshore oil and gas source

aggregation decisions, say Charles Wehland and Jennifer Hayes at Jones Day.

LEGAL INDUSTRY

BigLaw Desperately Seeking Experienced Associates

The legal industry is facing a shortage of highly qualified midlevel associates, according to experts who blame the deficiency on a dearth of associate hiring after the 2008 financial crisis, and finds itself having to adjust to make up for the deficit.

Litigation Powerhouse: King & Spalding

King & Spalding LLP earned a spot among Law360 Litigation Powerhouses by making its mark around the globe and in multiple industries, from representing energy giant Chevron in high-stakes, investor-state arbitration cases to securing a major copyright win for internet music giant Pandora.

Law360's Weekly Verdict: Legal Lions & Lambs

Gibson Dunn became this week's top legal lion when the Second Circuit concluded Monday that a \$9.5 billion Ecuadorean oil pollution judgment against its client Chevron is unenforceable, while in the legal lambs category, a jury on Tuesday ruled against Latham & Watkins LLP and Clarence Dyer & Cohen LLP client PG&E, finding it guilty of criminal wrongdoing in a gas-line explosion.

Calif. Bar's Funding On The Line In Stalled Reform Talks

A stalemate over a State Bar of California dues bill currently pending in the Golden State's Legislature is raising concerns that deep divides among lawmakers, lawyers and the judiciary about how best to restructure the group, which has been beset by a series of personnel and

financial problems in recent years, will cut off its primary funding source.

Romance Reports Don't Clear Up Fifth Third GC's Firing

Reports that Fifth Third Bank fired its former General Counsel Heather Russell over her personal relationship with Fannie Mae CEO Tim Mayopoulos do little to explain what, exactly, led to the termination, according to legal ethics experts and sources familiar with the situation.

Steptoe & Johnson Extends Reach Of Blockchain Practice

Steptoe & Johnson LLP is expanding its blockchain practice past advising the regulars in the emerging technology's ecosystem to counseling clients in a variety of industries now facing complex legal questions, boosting the depth of what is already one of the top shops for blockchain law nationwide.

JOBS

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From: Heartland Institute: The Government Relations Team
Sent: Friday, August 12, 2016 10:04 AM
To: Rep93
Subject: The Leaflet - National Employee Freedom Week



National Employee Freedom Week

From August 14-20, a coalition of 102 groups in 42 states are banding together to celebrate National Employee Freedom Week (NEFW). NEFW celebrates right-to-work reforms across the nation and aims to inform union workers about their right to leave a union without loss of employment, salaries, benefits, or seniority.

Millions of workers currently reside in states or districts where they are required to pay dues or fees to a union as a condition of employment. Others are shackled because of “drop” periods that secretly lengthen union membership or, worst of all, mislead people to believe joining a union is the only option available.

In a 2015 *Somewhat Reasonable* article, Heartland State Government Relations Manager Logan Pike argued union workers are often misled into paying for representation they may consider unwarranted or political contributions that oppose their interests and viewpoints. “Union members usually can leave their union only during a narrow, two-week window at the end of a three- or four-year contract. Labor unions often hide these opt-out provisions deep inside wordy contracts,” said Pike. “Other workers remain in unions believing that will advance their careers, unaware that alternative professional organizations provide many of the same services, often with better benefits, at a fraction of the cost of union membership.”

Paul Kersey, the director of labor policy at the Illinois Policy Institute, celebrated labor freedom in a 2014 article, in which he wrote of the significant value of NEFW. “Why is this week so important?” wrote Kersey. “Because no one should feel forced to pay money to a union as a condition of holding a job. Whether you support unions or not, everyone deserves to know what their rights are so they can make a choice that works for them.”

The National Employee Freedom Week website displays alternative options for union members who don’t want to send large chunks of their hard-earned salaries to union bosses. Workers should have the freedom to join a union if they so choose, but they also should be allowed to opt out at any time, whenever they determine the union ceases to represent their interests.

WHAT WE'RE WORKING ON

Budget & Tax

NFL Star Calls for End of Stadium Subsidies

Ben Johnson wrote in *Budget & Tax News* about a recent ESPN interview with Seattle Seahawks cornerback Richard Sherman. Sherman, a star defensive player in the National Football League, voiced his opposition to taxpayer-funded stadiums for private sports teams. Johnson examines the stadium subsidy issue in greater depth, citing J.C. Bradbury, an economist and professor of sports management at Kennesaw State University, who says sports stadium subsidies don't just fail to provide economic benefits to communities, they often damage cities' economic health. "Economists have conducted many studies of the economic impact of stadiums, and the clear consensus is that they don't just not meet the promises of big returns, but the returns are normally negative," Bradbury said." [Read more](#)

Education

Texas Lawmaker to Revive Bill Establishing Education Savings Accounts

Kenneth Artz, news reporter for The Heartland Institute, writes on Texas state Rep. Don Huffines' (R-Dallas) continuing efforts to bring an education savings account (ESA) program to the Lone Star State. Huffines originally introduced Senate Bill 1178, which would have directed the Texas Education Agency "to conduct a study on implementing an education savings account program," in 2015, but it was defeated in the state's lower legislative chamber. He plans on introducing a similar bill in 2017. "If public schools don't work, it's important to give the kids an option," Huffines said. "One size doesn't fit all, so parents and students need to be empowered with the most comprehensive school choice plan possible." If an ESA bill is signed into law, Texas would become only the sixth state to have adopted this important reform. [Read more](#)

Energy & Environment

Podcast: Exposing the Mad War on Energy

In today's edition of *The Heartland Daily Podcast*, Kathleen Hartnett White, director at the Armstrong Center for Energy and the Environment at the Texas Public Policy Foundation, speaks with Managing Editor of *Environment & Climate News* H. Sterling Burnett. White joins the show to talk about the new book she co-authored with Stephen Moore, titled *Fueling Freedom: Exposing the Mad War on Energy!* White says during the interview the present war on fossil fuels is immoral and bad for the environment, and she explains in detail how the two major political party platforms differ on energy and



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environment issues. [Read more](#)

Health Care

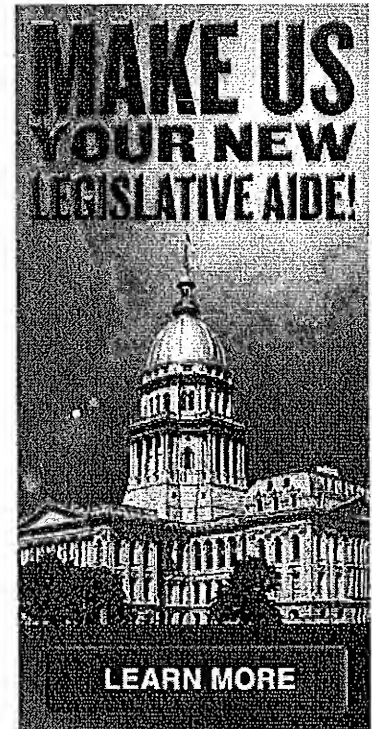
Dr. Jeffrey English: Bring Doctors to Patients with Telemedicine

In this episode of the *Health Care News Podcast*, Managing Editor Michael Hamilton speaks with Dr. Jeffrey English about the benefits of telemedicine. English says telemedicine is pushing back the new frontier of patient-centered, cost-effective health care innovation. The conversation focuses on why English made the leap to telemedicine, how telemedicine is delivering high-quality health care to patients with restricted access, limitations on telemedicine providers' ability to care for patients, and how government policies are contributing to or obstructing telemedicine innovations from flourishing. [Read more](#)

From Our Free-Market Friends

American Lands Council: Government to Blame for Less Public Access

Access to federal and state public lands remains an important issue around the nation. Public lands are held in public ownership for present and future generations. Only the U.S. Congress can change public land laws, and even if they do pass legislation, the bill still must be signed by the president, who has the power to unilaterally control (and often prevent) economic activity on millions of acres of federal and state public lands. Jack D. Jones, a wildlife biologist with the Montana Bureau of Land Management, argues in this article political rhetoric falls far short of addressing the real issue. "No, it's not all about an opened fishing access site along the east Gallatin River," said Jones. "The issue is larger - related to the lands in Montana the majority of these lands which now approach 65 percent are closed off to the public and who closed them." [Read more](#)



POLICY NEWSPAPER




The July issue of *Budget & Tax News* reports Tennessee Gov. Bill Haslam signed a measure repealing the state's Hall tax on interest and investment dividends, the state's only tax on an individual's income. The measure phases out the tax over five years. Justin Owen, president of the Beacon Center of Tennessee, expects the repeal to be good for the state's economy, noting,

"We have talked to numerous investors and job creators who have moved out of Tennessee because of the Hall tax. By eliminating it, we hope to bring those Tennesseans home, while also encouraging others to move into our state."

[Environment & Climate News](#)

[Health Care News](#)

[School Reform News](#)

	Heartland Institute	Our Websites
	The Heartland Institute is a 32-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.	<u>The Heartland Institute</u> <u>Heartlander Magazine</u> <u>PolicyBot</u> <u>Somewhat Reasonable</u> <u>The Parent Trigger</u> <u>Climate Conference</u>

This message was sent to rep93@ohiohouse.gov from:

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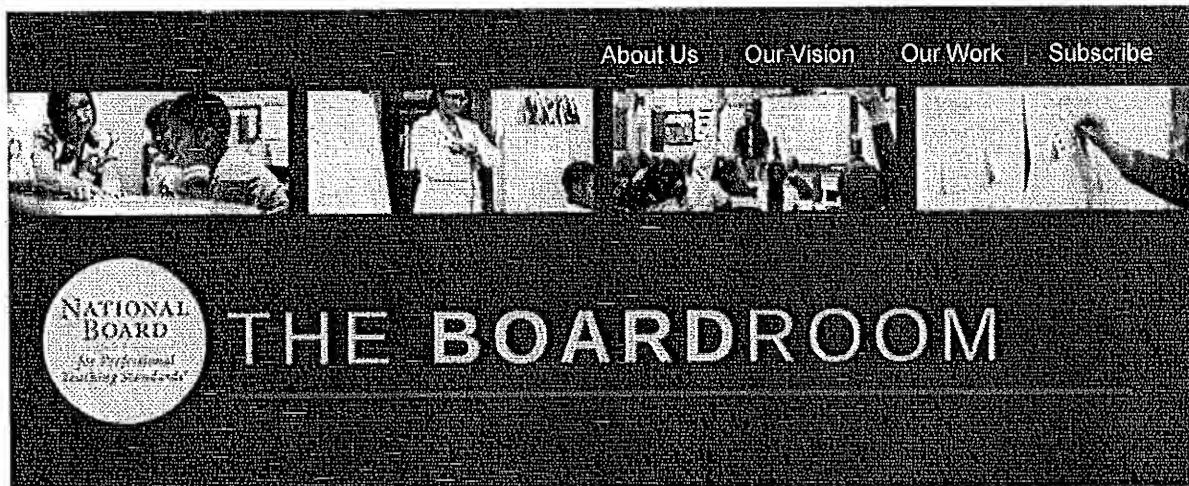
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From: National Board for Professional Teaching Standards (Do Not Reply)
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Subject: The Boardroom: August 2016



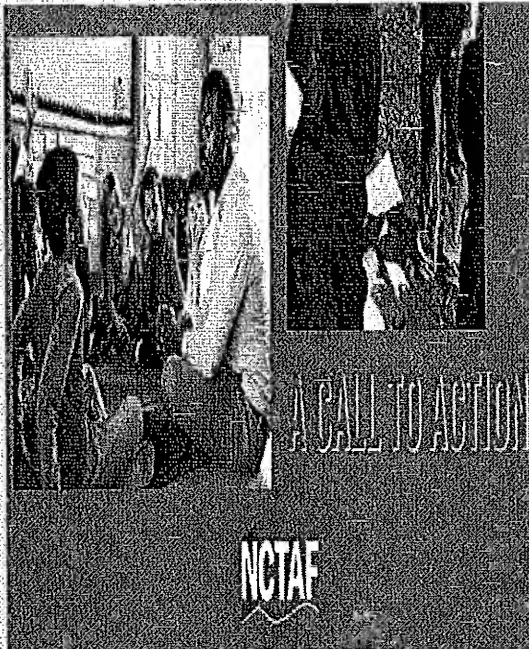
August 2016

Ryan,

It's that time of the year again! Depending on where you live, the school year has or will soon begin. The end of summer is the start of a familiar cycle - you're rejuvenated thanks to summer learning, projects and vacations. Teachers and their students from coast to coast feel a special energy, and experience nerves and high hopes for what awaits them. Those high hopes are present at the National Board, too, as more than 12,000 candidates continue their pursuit of "NBCT." This issue of *The Boardroom* focuses on what's happened this summer, what lies ahead, opportunities and a renewed focus on practical ideas for teachers.

STAY CONNECTED

BUILDING THE CONTINUUM



#WhatMattersNow

Last week the National Commission on Teaching and America's Future (NCTAF) released "What Matters Now," which argues that while there have been significant improvements in education since the release of their seminal report "What Matters Most" 20 years ago, the progress has been uneven. They offer recommendations for systemic change in states and districts, which includes encouraging teacher-led professional learning aligned with professional teaching standards. Geneviève DeBose, NBCT, gave the keynote address at the release event.

[WATCH THE KEYNOTE](#)

"To be inspired and connected to a room of similarly passionate educators is an emotional lift. It also provides great networking and learning opportunities."

ACADEMY PARTICIPANT

Leveraging Leadership and Inspiring Action

The 2016 National Board Academy was held in Las Vegas, Nevada from July 10-12. This annual event aims to engage stakeholder collaboration, provide a platform to share ideas and create a space to build plans to bring accomplished teaching and National Board Certification to scale. This year's theme was "Leveraging Leadership and Inspiring Action." Of the 184 attendees, 137 were NBCTs from 36 states across the nation. Participants connected with peers to learn more about innovative models and build action-oriented team plans for the 2016-2017 school year.

[STORIFY RECAP](#)

IN THE SPOTLIGHT

Accomplished Teachers Win Award for Teaching Excellence

Next February, 43 educators from across the country will receive the NEA Foundation's California

Casualty Award for Teaching Excellence The prestigious award is given to educators for their dedication to the profession, community engagement, professional development, attention to diversity and advocacy for fellow educators. Twelve of the award recipients are NBCTs.

Agents for Learning

In late July, 55 teachers, including 17 NBCTs, gathered in downtown Chicago as part of the Agents for Learning Competition. Twelve teams of teachers from across the country discussed the best ways states and districts can invest their ESSA funds to support professional learning. The presentations can serve as resources as you advocate in your own state and district for the best ways to invest in professional learning. Check out our [ESSA](#) page for additional resources.



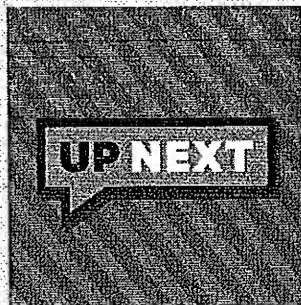
TEACHERS CORNER



[LEARN MORE](#)

How to Kick Off the School Year as a Rookie (or a Mentor)

New teacher orientation often leaves out the top subject on teachers' minds: The first day of school, says Roxanne Elden, NBCT. That's why she created *The School Year Starter Kit* a free, three-day email series to help newbies cut through information overload and focus on the few, basic things that will most help them prepare for their first day. The kit also offers much-needed reinforcement for those serving as mentors for beginning teachers.



Free college support - through texts to students

First Lady Michelle Obama recently launched [Up Next](#), Better Make Room's text messaging campaign that gives students and families free personalized support on all things college - college search and application, federal student aid and even student loan repayment. The campaign is evidence-based and low-cost, and [research](#) has shown that it can significantly increase students' college enrollment and persistence - if students sign up. This is where you come in. Encourage your students to sign up! All they have to do is text "college" to 44044.

SIGN UP

WHAT WE'RE READING

There's No Time to Lose

The National Conference of State Legislatures recently released "[No Time to Lose: How to Build a World-Class Education System State by State](#)." The report is the result of an 18-month study by a bipartisan group of 28 legislators and legislative staff. Marc Tucker, President and CEO of the National Center on Education and the Economy, summarizes the report in this [blog post](#).

Looking Ahead to the 2016 Election

Wondering where the presidential nominees stand on education? Education Week has got you covered. Here are two recent articles on [education priorities](#) and [potential US Secretary of Education picks](#) of Democratic nominee, Hillary Clinton, and Republican nominee, Donald Trump.

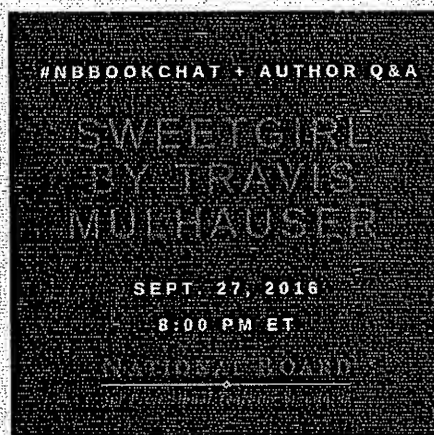
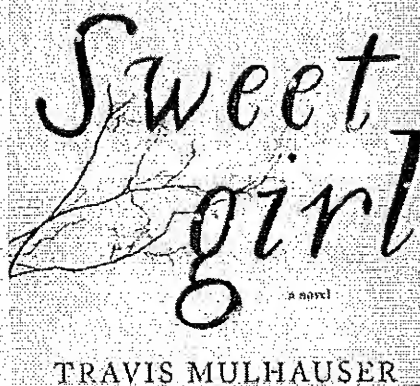
Mark Your Calendars for the Next #NBBookChat:

Date: September 27, 2016

Time: 8:00 p.m. ET

Book: Sweetgirl by Travis Mulhauser

ADD TO CALENDAR



On The Standard

- [Opening My Door as a Candidate for Board Certification](#) by Kelly Pace
- [Accomplished Teaching and the Growth Mindset](#) by Amber Chandler, NBCT
- [Taking Responsibility for Professional Practices](#) by David Cohen, NBCT

- [A Call for Peace-Based Teacher Leadership](#) by Jennifer Dines, NBCT
- [NBCTs Take a Stand in Support of Educational Policies](#) by Java Robinson, NBCT
- [What They Don't Seem to Understand About Certification](#) by Corey Oliver, NBCT
- [To Transform Schools, Slow Down](#) by Mark Gardner, NBCT
- [Religious Tolerance: Teaching the Teachers](#) by Chris Murray, NBCT
- [Letting Go of "We've Always Done It This Way"](#) by David Cohen, NBCT

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From: The Buckeye Institute
Sent: Friday, August 19, 2016 9:50 AM
To: Rep93
Subject: Ohio labor force suffers biggest hit in 26 years

Buckeye Institute News Alert

Contact: Jeff Reed
Director of Communications
The Buckeye Institute
419-706-7879
jeff@buckeyeinstitute.org

FOR IMMEDIATE RELEASE
Friday, August 19, 2016

Ohio suffers biggest drop in labor force participation in 26 years, July report shows

COLUMBUS -- More than 24,000 Ohioans stopped looking for work in July, causing the biggest drop in the state's labor force participation since 1990. The unemployment rate fell slightly, but only because there were fewer people in the state's labor force, according to a policy analyst with Ohio's free-market think tank.

Joe Nichols at The Buckeye Institute said policymakers should be extremely concerned by Ohio's two straight months of falling labor force participation rates.

Nichols said today's July jobs report from the Ohio Department of Job and Family Services shows small businesses and other private sector employers did not have the ability to absorb all the people seeking jobs, and now those people have stopped looking for work as a result.

"Ohioans clearly wanted to work, but the state's employers did not have the money and resources to hire them," Nichols said. "This should be a sign to state leaders that we need more policies that keep money in the hands of job creators and not government."

The most job losses in the state came from construction (-3,600). The most job gains in July occurred in the health care and social assistance sector (+6,400) and local government (+3,100).

"It's discouraging that state government was the leading job creator in June and now local government is a top job creator in July," Nichols said. "Government doesn't move our state forward; small businesses, entrepreneurs, and workers do. We need to make sure employers have the ability to create new jobs for the many Ohioans who want to work."

The Buckeye Institute analyzes Ohio's unemployment rate to identify policy solutions for increasing job opportunities and strengthening the state economy.

#

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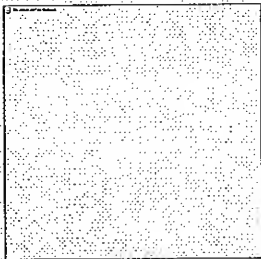
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Sent by jeff@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Monday, August 22, 2016 1:39 PM
To: Rep93
Subject: Did you see these headlines?



In the News

The Buckeye Institute's experts are continually sought for their insights into national, state, and local affairs. The stories below are just some of Team Buckeye's recent media appearances. If there's an issue in your community that could use our expert analysis, contact us at Info@BuckeyeInstitute.org.

The Sound of Ideas | Welfare Reform: 20th Anniversary

"How many people in America receive welfare benefits today? Probably millions fewer than you think. On the 20th anniversary of the day President Bill Clinton signed welfare reform into law, we take a hard look at how and why it originated, what changes have been made since to improve the program, and what its future could be."

[Click here to listen to the broadcast, featuring The Buckeye Institute's Greg R. Lawson.](#)

Dayton Daily News | Ohio unemployment shrinks along with workforce

"[A]nother 24,000 workers dropped out of the labor force last month, which was largely responsible for the lower unemployment rate and caused the biggest drop in labor force participation since 1990, according to Joe Nichols, a policy analyst with The Buckeye Institute.... Nichols said the July jobs report

indicates small businesses and other private-sector employers did not have the ability to absorb all the people seeking jobs."

[Click here for the story and Joe's insights into Ohio's latest jobs report.](#)

The Columbus Dispatch | Dublin district wasn't transparent

"As reported in the June 3 Dispatch article 'Dublin schools could seize building,' the district failed to secure a vacant building because it bid on that space anonymously and refused to disclose its identity after being asked by the property seller to do so. As a result, Dublin has threatened to use eminent domain to secure the space from a private company."

[Click here for the full letter by Buckeye's Greg R. Lawson.](#)

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From: The Buckeye Institute
Sent: Tuesday, August 23, 2016 4:17 PM
To: Rep93
Subject: We won! Ohio voting integrity case decided in Buckeye's favor today.

Buckeye Institute News Alert

Contact: Jeff Reed
Director of Communications
The Buckeye Institute
419-706-7879
jeff@buckeyeinstitute.org

FOR IMMEDIATE RELEASE
Tuesday, August 23, 2016

Buckeye Institute secures win in legal battle over early voting

COLUMBUS -- The U.S. Court of Appeals for the Sixth Circuit ruled in The Buckeye Institute's favor today on Ohio's early voting law. The court reversed a federal judge's decision requiring Ohio to expand its already nation-leading early voting law.

"Ohio voters can go to the polls this fall knowing the integrity of the state's electoral process is more protected," Daniel J. Dew, a legal fellow with The Buckeye Institute, said. "Ohio voters, our law-making system, and the entire nation who will be watching our state this November won today."

On May 24, a federal judge overturned an Ohio General Assembly law, which set the state's early voting at 29 days. Challengers alleged that a 34-year-old federal law required Ohio to offer even more days of early voting. Secretary of State Jon Husted noted that Ohio's 29-day period for casting absentee ballots puts the state in the top 10 nationwide for early voting.

Sixth Circuit Judge David McKeague called the challengers' position "astonishing," as it would prohibit states from modifying their electoral procedures.

An amicus brief submitted by The Buckeye Institute's Legal Center supported Secretary Husted's defense of Ohio's absentee voting period. Representing The Buckeye Institute in the case was Michael Carvin, an election and appellate law expert with the global Jones Day law firm.

"The Buckeye Institute's Legal Center will continue to stand up for Ohioans against judges who ignore the clear intent of the law," Dew said. "This victory also strengthens the laws of 40 other states that have fewer absentee days than Ohio, a national leader in early voting."

[Click here to read the full brief filed by The Buckeye Institute.](#)

###

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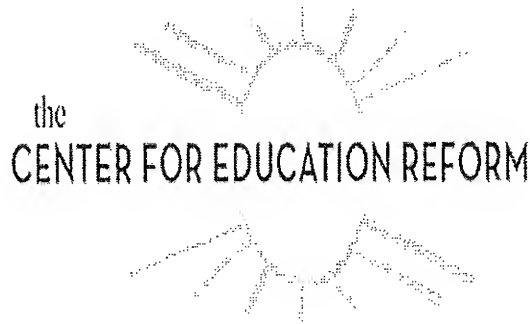
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Sent by info@buckeyeinstitute.org

Opponents of charters are using Oliver segment to sharpen attacks

No Images? [Click here](#)



A Letter to John Oliver from Appletree Charter Schools Founder Jack McCarthy:

I'm a fan of the show and I thought your report on charter schools was devastating. It would also be reasonable for your team to report on the ineptitude, corruption and self-dealing that takes place in public schools that operate under the district governance and finance model. That is, after all, what led to the creation of charter schools in the first place.

You may not be aware — in this year of grotesque, daily, pathological lying at the highest levels of our political discourse — how your report is being used as a cudgel against thousands of courageous, mission-driven educators dedicated to improving the lives and outcomes of our most disadvantaged children. Their work is hard enough. It doesn't have to be disparaged further in such a ham-handed, easily-manipulated fashion.



Have your staff explore how your report is being used in a nation-wide war against charter schools. If this is what you intended, then I'm not a fan any longer. If this is not what you intended, make it right.

I hope you will take the opportunity to examine the ineptitude, corruption and self-dealing of some of the leaders of the AFT and NEA.

In Washington, DC, several years ago, the leader of the Washington Teachers Union was sent to jail for stealing members' dues, as detailed in this Washington Post report. There is a robust amount of material to work with. Don't limit it to charters because most are making a tremendous difference in the lives of children. The ones that don't, close. And that's a good thing.

Sincerely,

Jack McCarthy

President and CEO of Appletree Early Learning Public Charter School

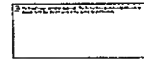
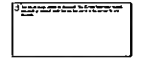
Jack McCarthy is a pioneer in the charter school field, having helped influence the development of the Massachusetts charter sector before contributing to its growth in Washington, DC. Since 1995, under his leadership, AppleTree Early Learning has grown to serve 640 children at seven sites throughout Washington, DC with countless more on waiting lists. AppleTree Institute won a \$5 million US Department of Education Investing in Innovation ("i3") development grant for Every Child Ready in 2010.

Please join those who are taking time to share their views with John Oliver by writing him at management@avalonuk.com.

The mission of the Center for Education Reform (CER) is to expand educational opportunities that lead to improved economic outcomes for all Americans,

*particularly our youth, ensuring that the conditions are ripe for innovation, freedom
and flexibility throughout U.S. education.*

The Center for Education Reform
1901 L Street, NW, Suite 705
Washington, DC 20036



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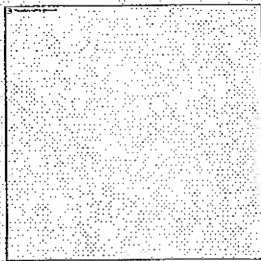
Sent: Wednesday, August 24, 2016 6:32 PM

To: Rep93

Subject: On Mountains and Worthy Goals, A Personal Message from Buckeye's President

Follow Up Flag: Follow up

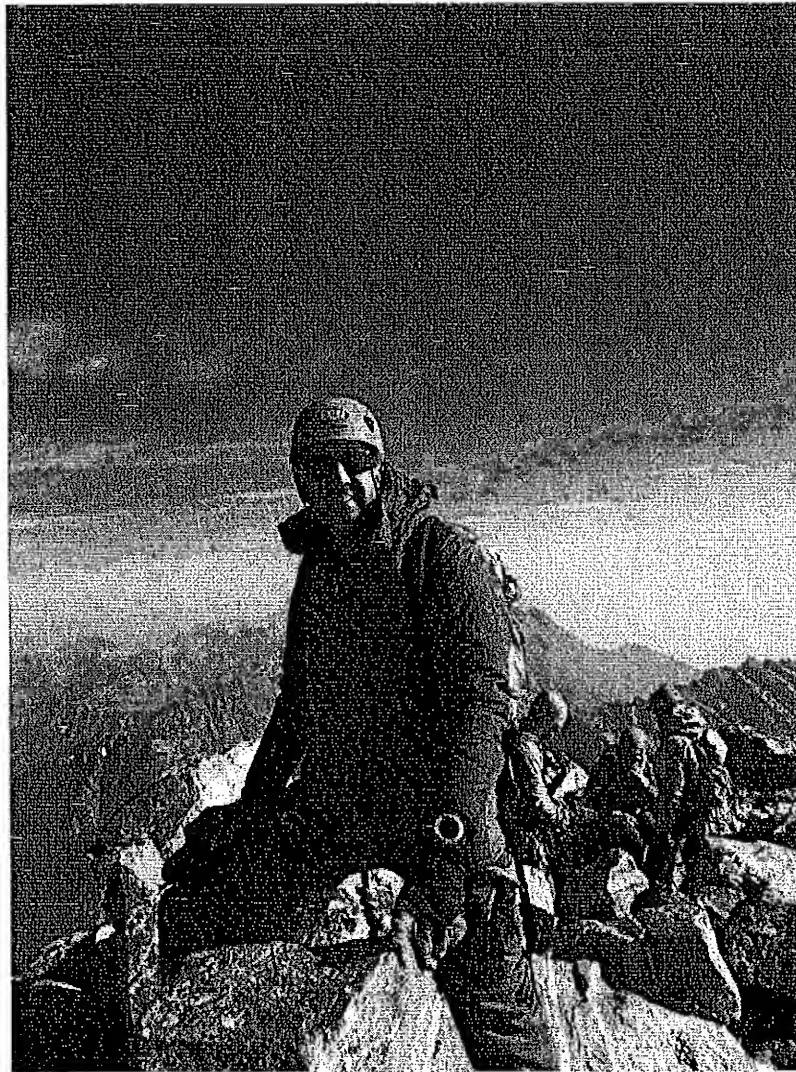
Flag Status: Completed



Buckeye Institute - A Message from the President

Message from Buckeye President (who just today finished his birthday present trip to Wyoming):

"We fought 50+ mph winds over the course of the two day climb, which caused many other groups to turn back... It was one of the coldest ascent days the guide had ever seen. Here I am straddling a length of rock with my foot dangling over a 3000 foot vertical drop--all worth it. Grand Teton summit was a worthy challenge indeed." -- Robert Alt (4:35 p.m. today)



Thank you most kindly for your ongoing support of The Buckeye Institute and our work.

We dedicate our daily lives to Buckeye's unofficial motto of "doing hard things" and climbing metaphorical mountains policy-wise every chance we get. All the while, our fearless leader spends his vacation time demonstrating how to climb those literal mountains one step at a time. We are inspired to keep pushing upward in the face of adversity, and hope you are too.

###

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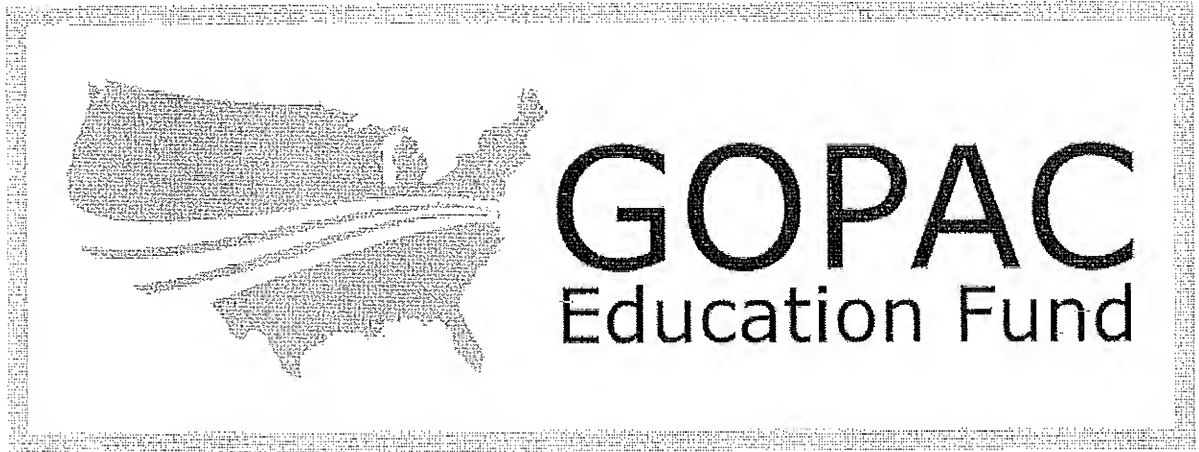
Sent by info@buckeyeinstitute.org

From: GOPAC Education Fund

Sent: Thursday, August 25, 2016 9:35 AM

To: Rep93

Subject: Indiana Senate Majority Leader Brandt Hershman on conservative ideas in Indiana



Imagine. Share. Impact.

In our latest video from *Imagine. Share. Impact.*, Indiana Senate Majority Leader and GOPAC Advisory Board Member Brandt Hershman discusses how conservative ideas have created an environment in Indiana where more people are working than at any point in the state's history and how conservatives need to link success stories at the state level to the national election.

"I can tell you that Indiana has done a number of things over the years... We've lowered business taxes, lowered personal income taxes, gotten rid of the inheritance tax, capped property taxes. We've grown revenue even through those cuts because new investments in jobs have come in to grow our economic pie. We passed Right to Work. We deregulated our telecommunications environment. We have a conservative-driven Medicaid policy based on individual responsibility. All of those things are the core principles of who we are as conservatives."

[Click Here to Watch Video:](#)



Subscribe to our [YouTube channel](#) and follow us on Twitter ([@GOPACedu](#)) to keep up with our video series, [#ImagineShareImpact!](#)

###

www.GOPACeducate.org

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Sent: Thursday, August 25, 2016 1:15 PM
To: House_updates@gongwer-oh.com
Subject: NEWS UPDATE--Troopers Reach Contract Agreement With State



GONGWER Ohio
The Record of Capitol Square Since 1906

Thursday, August 25, 2016, 01:15 PM

Troopers Reach Contract Agreement With State

The state and Ohio State Troopers Association on Thursday announced details of a tentative three-year contract agreement supported by more than 90% of the union members who voted in recent days.

The 1,760-member union negotiated a 12.5% raise over three years in annual increments of 5%, 5% and 2.5%, OSTA President Jeremy Mendenhall said. Since the negotiations were delayed, the first year increase will be retroactive to the expiration date of the last contract, which was July 1, 2015.

The pact includes a one-time ratification payment of \$750 for members, according to the union and Department of Administrative Services.

OSTA received a higher increase than other union employees, which received 7.5% over three years "in exchange for concessions to the Health and Physical Fitness Program, management discretion in selection, and flexibility in the area of personal leave," the two sides reported in a joint news release.

The groups said language in the contract that enhances management rights and employee accountability, streamlines the disciplinary process and lengthens the retention period for discipline, is "consistent with the changes in the other collective bargaining agreements," according to the release.

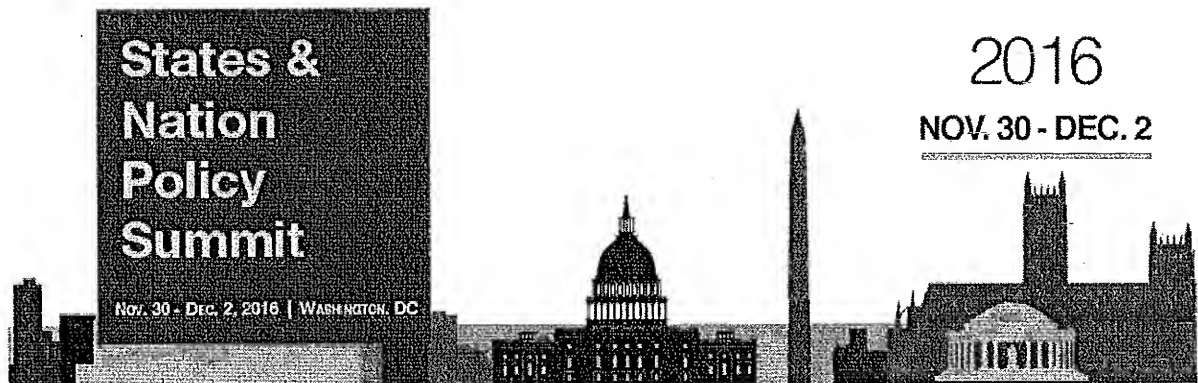
Pending Controlling Board ratification, the contract will be effective on Sept. 29.

More details in today's Gongwer News Service *Ohio Report*.

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Subject: Registration now LIVE!

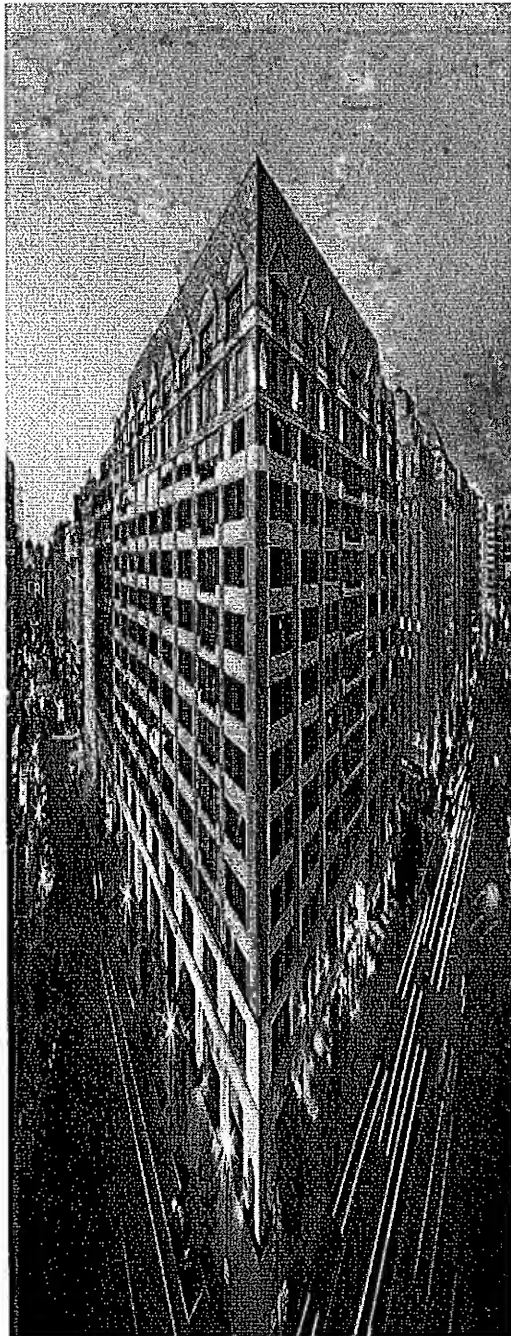


Registration is now OPEN!
Join ALEC in Washington, D.C. for the
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Register Now!

1. On-line - Use the button below to register on-line.
2. Give us a call - Happy to help you get registered over the phone.
Call us at 571-482-5014

>> REGISTER NOW



**Make your hotel reservation
now!**



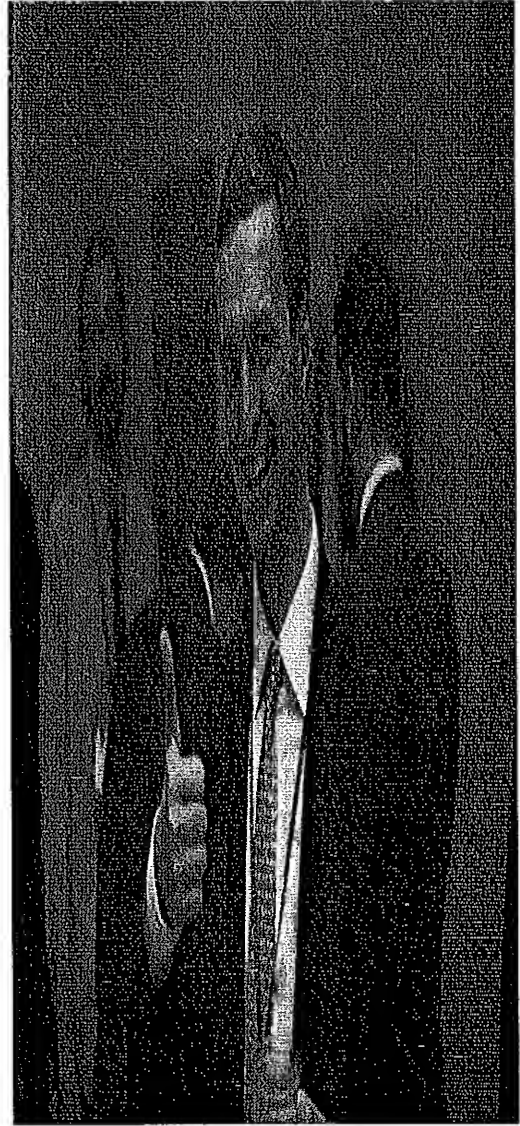
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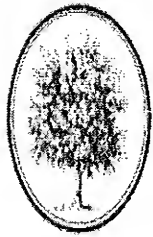
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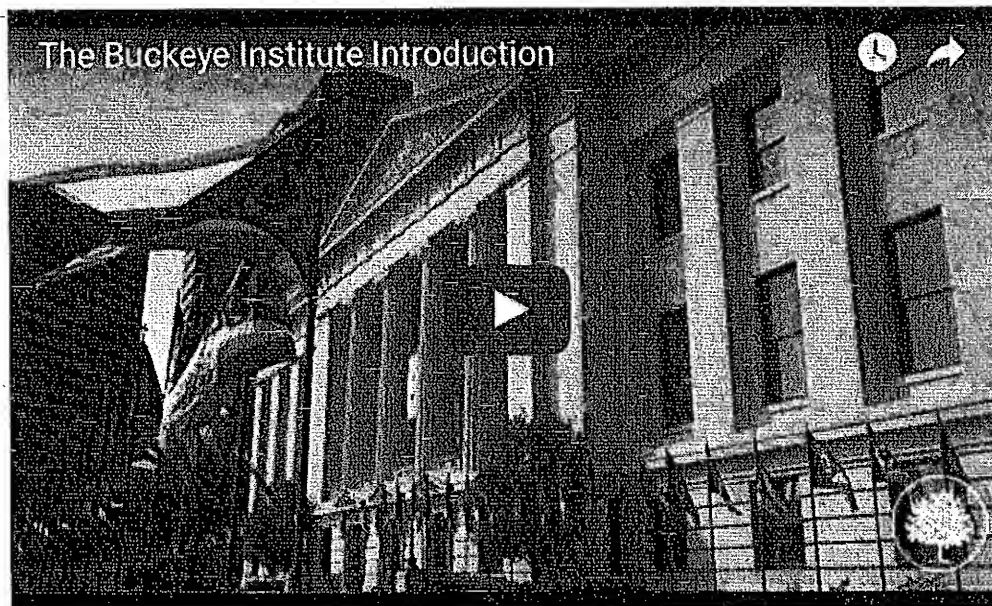
THE BUCKEYE INSTITUTE

Good fortune.

That is what Ohio's earliest inhabitants said came from a buckeye tree. And it is what The Buckeye Institute is bringing to our state, and country, today and in the years to come.

Just like Ohio's beloved state tree, The Buckeye Institute has deep roots going back to our founding in 1989. And so, too, like a buckeye, we are growing to greater heights.

Today we are pleased to announce the launching of our new look, logo, video, and website, which will allow us to engage state policymakers, the media, and our supporters like never before. [Click here](#) or on our new introductory video below to see for yourself.



Whether it is in health care coverage, criminal justice, energy prices, or access to jobs, the states could use some good fortune. That is why The Buckeye Institute will continue to grow free-market policies that enable people to lead fulfilling lives and cultivate those successful policies in other states beyond Ohio.

Already The Buckeye Institute has been recognized for our first-in-the-nation legal reforms, our firm stance to keep the federal government out of our energy policies, and our innovative solutions to curtail bureaucratic occupational licensing rules so that every Ohioan can pursue his or her dream job.

Building on our rich history and brand-new symbol representing our past, present, and future, together we are making Ohio the state where free people and free markets can blossom for the whole country to see. And, together, we will continue to branch out like a well-established tree to provide sound policy solutions for every state.

###

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From: Leonard Gilroy
Sent: Wednesday, August 31, 2016 3:09 PM
To: Rep93
Subject: Privatization & Government Reform Newsletter #26 - August 2016

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Privatization & Government Reform Newsletter
Issue No. 26 — August 2016

Edited by:
Leonard Gilroy, Director of Government Reform, Reason Foundation
Austill Stuart, Policy Analyst, Reason Foundation

In this issue:

- **SOCIAL FINANCE:** [Pay for Success Contracting Primer](#)
- **TRANSPORTATION:** [Transportation Finance, Airports, Highways](#)
- **EDUCATION:** [Trends in School Choice, Charters, Funding Portability](#)
- **PRIVATIZATION:** [Privatization and Government Liability](#)
- **PENSION REFORM:** [Michigan Pension Reform Case Study](#)
- **E-CIGARETTES:** [Vapor Revolution, Innovation Saving Lives](#)
- [News & Notes](#)
- [Quotable Quotes](#)

SOCIAL FINANCE: Pay for Success Contracting—The Emerging Paradigm

A new Reason Foundation policy brief examines Pay for Success (PFS) contracts, which provide a way for governments to test human service programs through the private sector and only pay if the program delivers on its promised results. At its core, a PFS contract is a type of public-private partnership that combines private financing and performance-based contracting in the delivery of social services. Although they have been in existence for just five years, PFS contracts have generated a great deal of interest around the world in that short time. The policy brief—intended as a primer for policymakers on PFS contracting—is authored by

Joe Coletti, co-founder and CEO of the Better Yes Network and former leader of the North Carolina Government Efficiency and Reform (NC GEAR) initiative.
» [FULL REPORT](#)

» [return to top](#)

TRANSPORTATION: The Latest in Airports, Highways, Transportation Finance

Over the last decade, infrastructure investment funds have raised approximately \$350 billion, which could support global infrastructure projects worth \$1.4 trillion, according to Reason's *Annual Privatization Report 2016*, which suggests that substantial private capital resources are available for U.S. surface and air transportation projects. The report also examines the latest developments in international airport privatization, air traffic control corporatization, outsourced airport screening, major public-private toll road and bridge projects, federal and state policy developments related to highway public-private partnerships, and the continued growth of pension fund investment in infrastructure.

» [FULL REPORT: Transportation Finance 2016](#)

» [FULL REPORT: Air Transportation 2016](#)

» [FULL REPORT: Surface Transportation 2016](#)

» [Annual Privatization Report 2016 homepage](#)

» [return to top](#)

EDUCATION: Reviewing Recent Trends in School Choice, Funding Portability

Legislative victories in 2015 and 2016 heralded six additional new school choice programs, raising the total to 59 programs across 28 U.S. states and the District of Columbia, according to the newly released Education section of Reason Foundation's *Annual Privatization Report 2016*. The report reviews developments over the past year in education, with topics that include the expansion of school choice programs, the expanding charter school market share, education savings accounts, student-based budgeting and school funding portability in the states.

» [FULL REPORT: Education 2016](#)

» [Annual Privatization Report 2016 homepage](#)

» [return to top](#)

PRIVATIZATION: How Does Privatization Affect Government Liability?

The law treats the public and private sectors differently in all sorts of contexts, including legal liability. The precise contours of government vs. private immunity depend on the context and depend on what laws are involved. The relative treatment of the public and private sectors will obviously affect the costs and benefits of privatization, the government's incentives to privatize, and injured parties' prospects for monetary recovery. This is nicely illustrated by two cases from the U.S. Supreme Court's recent term, as Emory Law School associate professor Alexander "Sasha" Volokh explains in a recent Reason Foundation article.

» [FULL ARTICLE](#)

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PENSION REFORM: Michigan Pension Reform Case Study

In 1996, the Michigan state legislature passed a first-of-its-kind bill that closed the state employees' defined benefit pension fund to new members and created a defined contribution retirement plan for future hires. A new report by Reason's Anthony Randazzo finds that the legacy retirement system is more solvent today than if the legislature had not closed the defined benefit plan for new hires, with a full system funded ratio of 88% as of 2015, compared to an estimated 68% funded ratio without reform. But while closing the defined benefit plan has prevented the state from taking on even more unfunded liabilities than without a change, the report finds that the positive effects of pension reform have been muted by the failure of policymakers to properly manage the defined benefit plan well as it is being closed over time.

» [FULL REPORT](#)

» [return to top](#)

E-CIGARETTES: The Vapor Revolution: How Bottom-Up Innovation Is Saving Lives

The public health impact of the vapor revolution has already been profound: millions of smokers have switched entirely to vaping, and millions more are using

vaping to reduce the amount they smoke. The best estimate so far produced puts the risk posed by vaping at approximately 5% that posed by smoking. In a new working paper, Reason's Julian Morris and Amir Ullah Khan write that, given time and further innovation, vaping has the potential to continue dramatically to reduce both the number of people who smoke and the number of cigarettes smoked by those who choose to continue to smoke. The authors estimate that over the course of the next two to three decades, vaping might gradually replace smoking altogether, thereby saving most of the billion lives—and perhaps 8 of the 10 billion life-years—that otherwise would be lost to smoking over the coming century. Yet, the authors warn that if innovation is to continue to deliver better, safer, less expensive products—and thereby attract more smokers to switch—it is essential that producers, retailers and consumers be free of excessive regulatory intervention.

» [FULL REPORT](#)

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NEWS & NOTES

DOJ Announces Private Prison Phase-Out, DHS to Evaluate: Earlier this month, the U.S. Department of Justice's Office of the Inspector General (OIG) released a report claiming that "contract prisons incurred more safety and security incidents per capita than comparable [Bureau of Prisons (BOP)] institutions and that the BOP needs to improve how it monitors contract prisons." Shortly after the release of the OIG report, Deputy Attorney General Sally Yates issued a memo stating an intention for "reducing—and ultimately ending" DOJ's use of private prisons and directing that as each BOP private prison contract comes up for renewal in the coming years, the agency should either "decline to renew that contact or substantially reduce its scope."

Correctional management firms quickly countered that the OIG report was flawed and failed to take into account the very different demographics of the population of private prisons in the BOP system (compared to BOP-run facilities), along with a number of other underlying factors ignored by the OIG. Emory Law School associate professor and Reason contributor Sasha Volokh offered a detailed critique of the report in a recent *Washington Post* blog post.

In the wake of the OIG report and new DOJ policy, another federal agency has announced a review of its private prison use. Earlier this week, Department of Homeland Security (DHS) Secretary Jeh Johnson announced that he had directed the agency's advisory council to undertake a study on whether Immigration and

Customs Enforcement should continue its use of private prisons for immigration detention. Recommendations pursuant to the study are due from the advisory council by November 30.

MBTA Privatizations Advance: The Massachusetts Bay Transportation Authority (MBTA) has taken major steps toward privatizing much of its operations over the last two months. The transit authority issued a Request for Proposals in late June for a private firm to take over the operations of its warehouse, a move to which warehouse workers responded by immediately seeking arbitration, the Boston Globe reported.

MBTA also looks to privatize its police and emergency dispatch, as well as its cash operations. The Globe reported this month that MBTA looks to contract with IXP Corporation for police and emergency dispatch. The two-year, \$6.1 million deal for police dispatch would free 15 officers from dispatch duties and allow them to work patrol, a major relief to MBTA Transit Police Superintendent Richard Sullivan, who said of the move, "This is going to help us tremendously."

The transit agency may also privatize its cash counting operations, after a consultant report found many problems with its current in-house arrangement, including poor training and recordkeeping, security lapses (including vault doors secured with duct tape), and employee shirking, as well as outdated and inefficient technology and equipment. Officials believe that privatization could generate \$4.6 million in savings. The 78 workers that the agency currently employs for its in-house cash counting make a combined \$10.1 million, or a little more than \$128,000 per worker. MBTA will likely submit requests for qualifications/proposals within the coming weeks. More details are available here.

Denver International Airport Announces Winning Terminal PPP Bidder: At the end of June, Denver International Airport chose a Ferrovial Airports-led consortium to make improvements to its Jeppesen Terminal through a public-private partnership (PPP), the airport noted in a press release. Parties are currently negotiating final terms for the pre-development period, which, pending an agreement, will result in a full city council vote on a contract in August. The PPP aims to upgrade the terminal by consolidating the airline ticket counters, consolidating and relocating the TSA screening areas, modifying the baggage handling system in and under the terminal, and redesigning the shopping, dining and overall passenger experiences available within the terminal.

China Pledges \$1.6 Trillion for PPP Development: A Chinese official announced this month that the county plans to provide funding of \$1.6 trillion to over 9,000 PPP projects in the coming years. Problems with local, public financing of

projects played a major role to the increased commitment from China to the public-private model, with municipalities now being allowed to rely on private funding to make up for shortfalls from bond issues. China's finance ministry will soon publish lists of demonstration projects valued at \$121 billion, of which nearly half (48%) have reached implementation. More information is [available here](#).

Fargo-Moorhead Flood Control RFQ Released : Earlier this month, the Flood Diversion Board of Authority issued a request for qualifications for the public-private partnership portion of the \$1.8 billion Fargo-Moorhead Area Diversion Project, a joint effort between the Army Corps of Engineers and the states of North Dakota and Minnesota to control flooding on the Red River. The project has two main components: the Corps will build a dam using federal funds, while a private developer will finance and construct a 36-mile-long, 1,500-foot-wide diversion channel with 32,500 acres of upstream staging, to be repaid over time through state sources. Earlier this month, the mayors of Fargo (ND) and Moorhead (MN), the Flood Diversion Board of Authority, and the Corps signed a project partnership agreement to advance the project. A full request for proposals for the PPP portion of the project is anticipated by the end of 2016. More information is [available here](#).

Mackinac Center Releases Annual School Service Privatization Survey:

Michigan's Mackinac Center released its *School Privatization Survey 2016* earlier this month, noting continued growth of school districts choosing to privatize food, custodial, or transportation services (now 379 of the state's 541 districts, or 70%). Half of Michigan school districts rely on privatized custodial services alone, up from 7% in 2003, while food services, now at 43%, grew less sharply over that period at 64%. Transportation services remains the least common (just 25% of districts), though its prevalence grew over 600% over the past decade, now relied upon in 137 Michigan school districts. Satisfaction amongst school officials remains high, too—90% of officials reported being satisfied with the privatized services upon which their district relies, while only 3% reported dissatisfaction. The full report is [available here](#).

Alaska Taps Consultants for Health Care Privatization Studies : Medicaid reform legislation signed in June requires Alaska to hire consultants to study the possibility of privatizing parts of the state's health services system, with a sharp focus on juvenile facilities, pharmacy services, and the state's sole psychiatric hospital. By mid-July, the state selected winning bids from two firms—Carter Goble Associates (CGA), who will examine privatization in state's short-term detention facilities, LLC and Public Consulting Group, Inc (PCG), who will look

at privatizing some services at the Alaska Psychiatric Institute. A third bid for examining pharmacy services was rejected. More information is [available here](#).

Baltimore City Circuit Court Facility PPP Proposed: The Baltimore City Circuit Court asked the Maryland Stadium Authority to help it seek bids for private developers to repair or replace its existing facilities, potentially through a PPP structure, the *Baltimore Sun* reported. In 2011, an attempt renovate the buildings was rejected because of an estimated \$600 million cost, while a report the same year described conditions at the facilities as "dire," in terms of safety and operations, as did previous studies.

Cleveland State University Seeking Parking PPP: In June, Cleveland State University issued a request for qualifications seeking firms interested in a potential long-term concession to operate and upgrade the university's parking system. The university is seeking to maximize the value of its parking assets while addressing a shortage of parking spaces amid rapid growth in enrollment. Qualifications were due in mid-July; at press time the university had not released a list of responses.

Mercatus Case Study Examines New D.C. Taxi and Ride-Share Agency: Researchers at the George Mason University-affiliated Mercatus Center released a study recommending that policymakers rethink the entire structure of taxi regulations, which limit competition, inflate prices, lower quality, and employ antiquated technologies and practices. The authors argue that taking further steps to level the regulatory playing field between taxis and ride-sharing companies by way of deregulation will serve consumers better. Previous concerns about customers' inability to assess the quality of street-hailed taxis led to current regulations, the study maintains. But new technological advances such as greater monitoring of drivers, instant customer feedback via smartphone apps, and secure electronic payment systems have virtually erased those problems. Keeping such regulations intact in the face of such added security, the authors argue, ends up harming consumers by way of stifling competition.

Iowa Private Medicaid Management Update: Since privatizing Medicaid to three companies in a managed care agreement this April, a first quarter report found the state saving \$22 million, though some details of measurement remain unclear. The private providers did fail to meet performance standards in April and May, and were fined \$4,400 for incorrect claim information.

Gov. Terry Branstad continued to stress savings from fraud prevention, citing figures from a previous smaller scale privatization. A study released by the U.S. Department of Health and Human Services (HHS) assessing performance of the

public and private sector with respect to avoiding improper Medicaid payouts in Iowa found private sector workers to be vastly more successful in FY2014. While public sector workers improperly paid out 10% of funds in its fee-for-service program, private workers, which at the time covered about 10% of the total state Medicaid program, achieved an improper payment rate of less than 1%. More information is [available here](#).

CT Gov. Malloy Releases Group Home Privatization Plan: Earlier this month, Gov. Daniel P. Malloy's administration released a plan to save \$70 million annually by privatizing 40 state-run homes, as well as services for residents with developmental and intellectual disabilities, currently provided in-house by the state's Department of Developmental Services (DDS). "The plan follows national trends and best practices for reducing publicly run residential and larger institutional facilities and continuing on a path of providing cost effective, community-based options for individuals supported by DDS," [according to DDS Commissioner Morna A. Murray](#). "Community-based care provided by experienced non-profit organizations will ultimately allow Connecticut to afford to provide supports to the thousands of families currently waiting for services."

Redding/Shasta County (CA) Renews Library Contract : Earlier this month, Library Systems & Services signed a contract extension to continue providing operations, technical, and strategic support for Redding's and Shasta County's libraries until 2021. The relationship has been very beneficial to the city and county in terms of traffic and finances; while the average California county spends nearly \$50 per capita on its libraries, Shasta and Redding spend a little over \$12, and the county and city receive 12 visits per capita to their libraries, which is double the California average. "Results speak for themselves: the Redding branch operates at 60+ hours a week, while the city could only run it at 40 hours and for more budget," Peggy O'Lea, executive director of the Shasta Library Foundation, said in a [press release](#).

Oklahoma Corrections Department Leases Private Prison: This month, the Oklahoma Department of Corrections began moving its inmates from its State Reformatory in Granite into a much newer private facility located in North Fork. The state will lease the privately owned facility from Corrections Corporation of America in a six-year, \$37.5M deal that will have state employees operating the facility, [KGOU Public Radio reported](#). While most of the state's prison facilities previously served some other purpose—such as Boy's Homes, hospitals, or munitions plants—and were retrofitted to serve as prisons, CCA's North Fork facility was specifically constructed be a prison only 18 years ago. Compared to the 107-year old Granite facility, North Fork has modern IT infrastructure—including two educational buildings with computer labs for inmates for job

training purposes—and the facility itself can be reconfigured to become the equivalent of four separate prisons, allowing for separation of different types of inmates.

» [return to top](#)

QUOTABLE QUOTES

"The question is whether the past twenty or thirty years is a useful yardstick for predicting the next twenty or thirty years. The United States has benefited from a 35-year bond market boom, over which time interest rates have trended consistently lower to the near-zero rate that it has held steady for the past seven years [...] All other things being equal, lower interest rates push stock and bond prices higher. Consequently, U.S. pension funds have enjoyed 35 years of rising prices for stocks and bonds (with short interludes of falling prices) in their portfolios. But as interest rates approach zero, it is impossible under conventional economic theory for them to drop any lower. Perhaps, as we are seeing in some places around the world, it is possible for central banks to engineer below-zero interest rates, but we have no historical experience by which to judge how economies, bond markets and stock markets will perform under such circumstances. [...]"

It is almost inconceivable that the future 35 years of investment returns will match that of the previous 35 years, one of the great bull market eras of U.S. financial history. Therefore, [the Virginia Retirement System (VRS)] (and other all pension funds) are reckless to assume that recent history will be any guide at all to future performance. Stretch out the frame of analysis for 50 years, 100 years, or longer, and the case for equities and bonds may be as favorable as ever. But the VRS cannot look out 100 years. Baby Boomers in the state workforce are retiring in large numbers now: One quarter of the state workforce will be eligible to retire within five years. Virginia will need the money in the next 20 to 30 years."

—James Bacon, "[The Seven Percent Assumption](#)," Bacon's Rebellion (blog), July 12, 2016.

"Both [private prison] facilities in Ohio perform in a manner that is safe and secure, as demonstrated by their contractually required accreditation status by the American Correctional Association and compliance with Ohio internal

management audit standards. Ohio's two privately operated facilities are considered full partners within our prison system."

—JoEllen Smith, spokeswoman for the Ohio Department of Rehabilitation and Correction, quoted in Alan Johnson, "[Ohio won't follow federal lead in ending private prison contracts](#)," *The Columbus Dispatch*, August 19, 2016.

"Data-driven approaches are beginning to produce benefits not only in the area of pretrial detention but throughout the criminal justice process. Dashboards now in use in a handful of jurisdictions allow not only administrators but also the public to see court waiting times by offender type and to identify and address processing bottlenecks. Fast-tracking minor cases allowed Tarrant County, Texas, for example, to reduce its jail population by 40 percent; mental-health diversion resulted in \$10 million in savings per year in Bexar County, Texas; and New Orleans reduced crime while witnessing a two-thirds decrease in its in-jail population by using risk-based pretrial decision-making and turning to summonses rather than detention for low-level offenses such as disturbing the peace and marijuana possession."

—Stephen Goldsmith and Jane Wiseman, "[The Billions We're Wasting in Our Jails](#)," *Governing.com*, June 22, 2016.

[» return to top](#)

Additional Resources:

- [Reason Foundation privatization research archive](#)
- [Annual Privatization Report 2016 homepage](#)
- [Innovators in Action homepage](#)
- [Privatization & Government Reform Newsletter archive](#)

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From: Heartland Institute: The Government Relations Team
Sent: Thursday, September 1, 2016 10:01 AM
To: Rep93
Subject: The Leaflet - Football Season and Fantasy Sports



Football Season and Fantasy Sports

As the world anxiously waits to see the Carolina Panthers and Denver Broncos open the season in a Super Bowl rematch, fantasy football fans are glued to their computer screens debating which of their fledgling teams is the cream of the crop.

Steven Titch, policy analyst at the Reason Foundation, explains how fantasy sports work in a recent R Street Institute article. "In fantasy sports, contestants pool their money and they each select a line-up of real-life players in a given sport—baseball, football, hockey, even golf and NASCAR. The performance of each player is tracked and the fantasy team is awarded points based on individual achievement—e.g., home runs in baseball and touchdowns in football."

While this might sound like good, harmless fun to you, lawmakers across the nation have been working to ban or heavily regulate the growing fantasy sports industry, and fantasy sports businesses, such as FanDuel and DraftKings, and business associations, such as the Fantasy Sports Trade Association, have ramped up their efforts to stop government intrusion by lobbying in favor of fantasy sports freedom in legislative battles in numerous states, including Illinois and Texas. According to a recent Wall Street Journal article, Alexandra Berzon states the industry's lobbying efforts are growing: "It involves 78 lobbyists in 34 states, up from four lobbyists a year ago."

In a an August Off Shore Gaming Association article, writer Hartley Henderson says Florida, Kentucky, Michigan, Minnesota, Nebraska, New Mexico, South Carolina, and Wisconsin have all been invested in the fantasy sports debate. "Even states that were banned from the outset are having second thoughts. Arizona, Iowa, Louisiana and Washington all have some sort of bills to legalize DFS on the table. Only Montana has no bill on the table or desire to look at fantasy sports legalization."

In the Empire State, New York Attorney General Eric Schneiderman declared DFS to be illegal, ordering a shutdown of all DFS activity in the state. Within a few months, the New York State Legislature passed legislation permitting DFS.

Citing an up-to-date DFS legislative tracker provided by ESPN, Titch said, "Mississippi, Missouri, Rhode Island and Tennessee are among states that also have legalized DFS, while it remains banned in Iowa, Louisiana, Arizona and Washington State."

Jesse Hathaway, managing editor of Heartland's *Budget & Tax News*, argues in a [recent Pittsburgh Tribune-Review](#) article state and federal lawmakers should refrain from cracking down on daily fantasy sports and let people have fun. "Instead of blitzing daily fantasy sports, lawmakers should resist the urge to ban popular, benign activities and products. Leaving consumers alone and letting them spend their money in harmless ways they enjoy is a touchdown for everyone."

WHAT WE'RE WORKING ON

Budget & Tax

Research & Commentary: Kansas Needs to Adjust Its Assumptions on Pension Investments

Kansas is now facing a significant shortfall in its pension fund investments that could create substantial funding problems in the future. In 2015, Kansas issued a \$1 billion bond in an effort to boost its public-pension system by investing the bond proceeds. While final figures are not yet available, the Kansas Public Employees Retirement System (KPERs) Director Alan Conroy indicated to the Topeka Capital-Journal investment returns for the first year are expected to be minimal. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines state pension funds and assumed rates of return. "If the estimated rate of return for these pension funds continues to fall short of expectations, pension systems across the country may be in even more trouble than is currently thought. Pension experts recommend states use an expected investment return rate of 3.1 percent, which is based on 30-year U.S. Treasury bond yields," Glans wrote. [Read more](#)

Education

Research & Commentary: Louisiana Scholarship Program Saves Pelican State Tax Dollars

In this *Research & Commentary*, Policy Analyst Tim Benson writes about a new study by the School Choice Demonstration Project (SCDP) at the University of Arkansas, which has found the Louisiana Scholarship Program (LSP) - the Pelican State's voucher program for low-income students that launched in 2008 - is saving the state money. SCDP says cancellation of the program would increase costs for four out of five local school districts. To be eligible for the LSP, students must come from families earning under 251 percent of the federal poverty level and must have attended a school C-rated or below during the previous school year. Greater than 7,100 Louisiana children took advantage of the program in 121 different schools in the 2015-16 school year. However, funding for the program will drop from the \$42 million it received in 2015-16 to only \$40.1 million in the fiscal year that started in July 2016. "Based on



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what we know about the educational benefits of school choice programs in general and the cost-saving integrationist benefits of LSP, it is not out of bounds to say LSP deserves a return to full funding from Louisiana legislators in the 2017 legislative session,” wrote Benson. [Read more](#)

Energy & Environment

Electricity Generation From Existing Sources is Cheapest, Report Says

Michael McGrady writes about a recent report published by the Institute for Energy Research (IER) that concludes most existing electric power plants produce electricity with significantly lower costs than new-generation resources, such as wind and solar energy. Renewable-energy subsidies and the current regulatory push to promote wind and solar power, McGrady notes, have forced the premature retirement of coal-fired power plants and led to energy price increases. Electricity from new wind and solar power is 2.5 times to five times more expensive than electricity from existing coal and nuclear power. “Our study suggests existing power plants should continue to operate until electricity from them is more expensive than power from new equivalent replacements,” said report co-author Thomas F. Stacy. “For each major power plant technology, the average existing plants produce at a cost well below the cost from new power plants that might replace them.” [Read more](#)

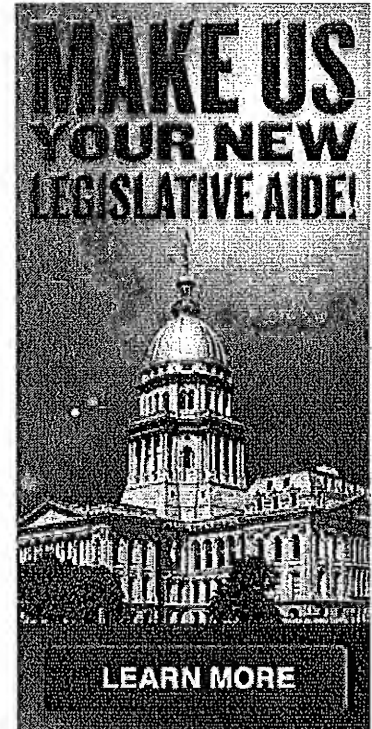
Health Care

Research & Commentary: Medicaid Expansion Costs Continue to Grow

Thirty-one states, in addition to the District of Columbia, have chosen to expand their Medicaid programs under the Affordable Care Act (ACA) and 19 have refused to do so. Medicaid is already placing severe financial strain on state budgets and the program has a proven track record of failing to provide cost-effective and efficient care for those in need. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines state Medicaid programs, how costs are running out of control, and several proposals for reform. “In a new report from the Department of Health and Human Services (HHS), an examination of Medicaid’s finances found the average cost of ACA’s Medicaid expansion enrollees was nearly 50 percent higher in fiscal year 2015 than the levels HHS had projected the previous year,” Glans wrote. [Read more](#)

From Our Free-Market Friends

The Buckeye Institute Launches New Website, Logo, and Look
Much like Ohio’s beloved state tree, The Buckeye Institute has deep roots going back to the organizations founding in 1989.



POLICY NEWSPAPER



The July issue of *Health Care News* reports House Republican leaders plan to release immediately before the Republican National Convention a party-wide plan to repeal and replace the Patient Protection and Affordable Care Act, aka Obamacare. Caitlin Carroll, communications director for the Republican Study Committee, said “any plan that dismantles Obamacare and moves [the country]


On August 30, The Buckeye Institute announced the launching of a new look, logo, video, and website, which will allow it to engage state policymakers, the media, and supporters like never before. The new website highlights important policy issues, including health care, criminal justice, energy policy, and access to jobs. The Buckeye Institute will continue to grow free-market policies that enable people to lead fulfilling lives and cultivate those successful policies in other states beyond Ohio. [View the new website here](#)

toward patient-centered reform should be considered as part of the House's ongoing discussion of what a conservative health care reform plan should look like."

[Budget & Tax News](#)

[Environment & Climate News](#)

[School Reform News](#)

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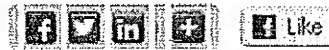
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Subject: The Power of Workplace Culture




"Initially regarded by many as "fluffy", culture is now widely understood to be a strategic business imperative." - Alec Broadfoot

THE POWER OF WORKPLACE CULTURE

The quote "culture eats strategy for breakfast," is frequently attributed to business management guru Peter Drucker.[i] But what does it mean? It doesn't mean that culture is more important than strategy, but rather that strategy developed without consciousness of company culture will be ineffective.

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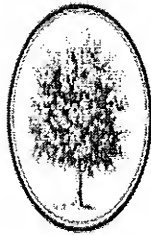
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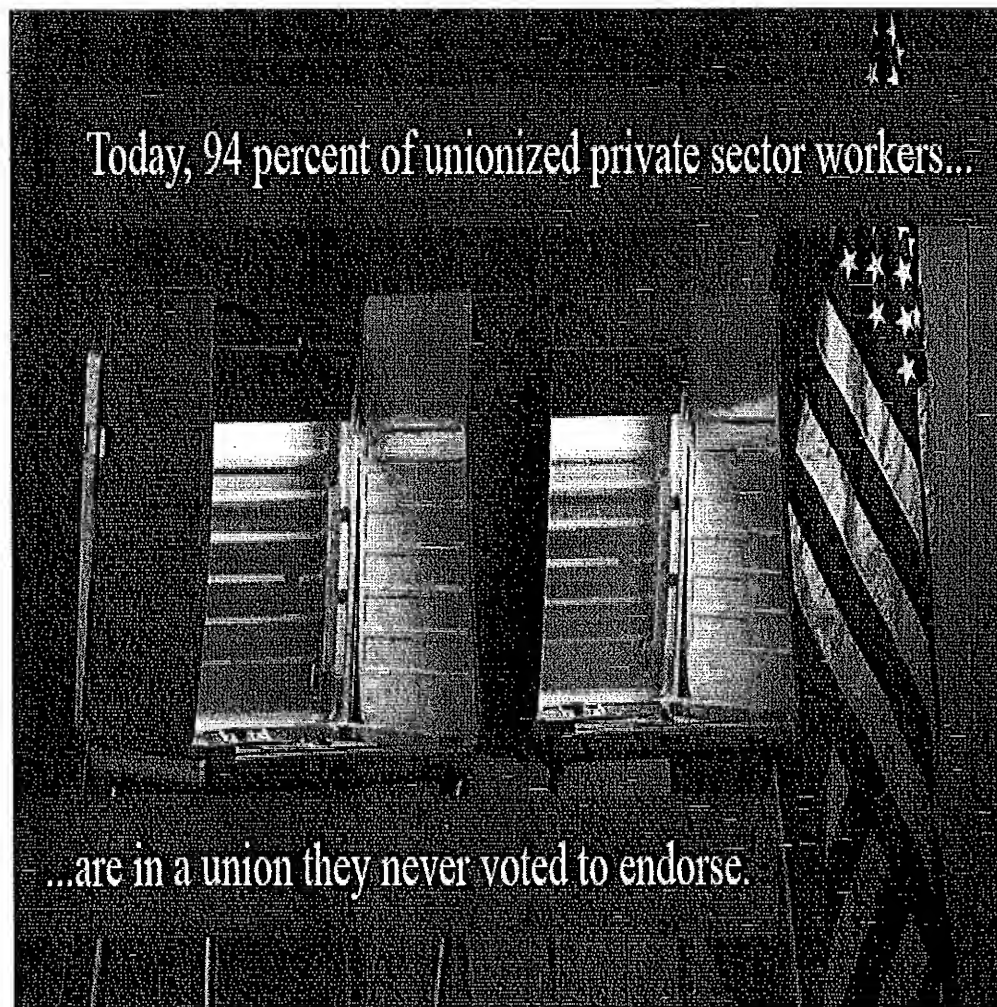
From: The Buckeye Institute
Sent: Monday, September 5, 2016 9:14 AM
To: Rep93
Subject: Labor deserves a day to vote



THE BUCKEYE INSTITUTE

Fittingly today, on Labor Day, The Buckeye Institute released its latest report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members." This timely piece demonstrates how regularly held union elections ensure that workers are satisfied with their union representation and the leadership for which they pay.

A shockingly high number of Americans have never been able to vote for their unions before. It's time for workers to have their voting rights restored.



As you'll see in the report, giving those 94 percent of private sector workers a vote will take an act of Congress—and we all know how Washington, D.C. works. That's where The Buckeye Institute comes in: We have innovative state-level policy solutions that lawmakers across the country can implement in their own states to provide workers with their long-overdue voting rights.

Elected officials know what it's like to stand before the voters and make their case to the people they represent. Union leaders should do the same before the workers they represent too. It's only fair.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

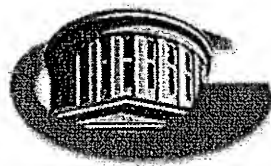
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To: Rep93
Subject: Ohio Report, Tuesday, September 6, 2016
Attachments: Sep6House.htm; 160906dayplan.htm; Sep6.htm



GONGWER Ohio
The Record of Capitol Square Since 1906

Ohio Report for Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs-County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Calendars

Day Planner


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House Activity for Tuesday, September 6, 2016

INTRODUCED

HB-594  **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses:
Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Wednesday, September 7

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m. (Code Committee)

Real Estate Commission, Division of Real Estate and Professional Licensing, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9 a.m. (Agriculture Development Committee)

Petroleum Underground Storage Tank Release Compensation Board, 50 West Broad Street - Suite 1500, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Rep. Scott Ryan (R-Newark) and Rep. Rob McColley (R-Napoleon) fundraiser, Due Amici, 65 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Sponsor: \$500; Host: \$350 to Citizens for Scott Ryan and/or Citizens for McColley)

Release of August casino revenue figures, 1:30 p.m.

Sen. Jim Hughes (R-Columbus) fundraiser, Victory's, 543 S. High St., Columbus, 5 p.m., (Sponsor: \$2,500, Host: \$1,500, Patron: \$1,000 to Committee for Jim Hughes)

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Volume #85, Report #172 -- Tuesday, September 6, 2016

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests.

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

State Board Looking To Help 2,000 Displaced Ohio ITT Students

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26th in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14th highest rate of obesity among children ages 10-17, at 17.4%, and was 35th in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17th in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13th in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

Trump, Clinton Spend Holiday Campaigning In Ohio

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

Housing: U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

Technology: U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

Piketon: Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

Backpage: Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

Coal: Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

Drugs: Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

Women's Summit: Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

Injury: A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

Reprimands: The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

Conviction: The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

Supplemental Agency Calendar

Thursday, September 8

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.

Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

Supplemental Event Planner

Wednesday, September 7

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Release of August casino revenue figures, 1:30 p.m.

Sunday, September 11

Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd., Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle Koehler)

Thursday, September 29

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp., 6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends of Bill Coley)

Monday, October 10

Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St., Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)

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Click the  after a bill number to create a saved search and email alert for that bill.

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From: Heartland Institute: The Government Relations Team

Sent: Thursday, September 8, 2016 2:00 PM

To: Rep93

Subject: The Leaflet - Missed Heartland's Emerging Issues Forum in Chicago?
Watch It Online!



Missed Heartland's Emerging Issues Forum in Chicago? Watch It Online!

On August 9, The Heartland Institute hosted its first 2016 Emerging Issues Forum (EIF). More than 80 state elected officials and policy experts attended the Summer EIF event in Chicago, Illinois.

New Hampshire state Rep. Bill Ohm (R-Hillsborough) praised Heartland's summer EIF event, stating, "The conference offered excellent presentations by qualified speakers on practical solutions to long-term problems."

If you missed Heartland's Summer EIF event, you can watch each of the four panels held during the event online on Heartland's [YouTube channel](#).

The health care panel featured Cato Institute Senior Fellow Michael Tanner, Optenerative Chief Executive Officer Aaron Dallek, and Georgia state Sen. Judson Hill (R-Cobb County). The panelists discussed how states can expand competition and reduce the cost of health care - even with the Affordable Care Act in place. The solutions offered include using telemedicine, rolling back certificate of need laws, and embracing direct primary care. The panel also addressed Medicaid expansion. [Video](#)

The education panel featured Goldwater Institute Education Director Jonathan Butcher, Heritage Foundation Fellow Lindsey Burke, and Illinois state Rep. John Anthony (R-Grundy County). The panelists discussed how education outcomes in America continue to lag globally; the ongoing debate about Common Core State Standards; and educational choice options, such as education savings accounts and charter schools. Panelists also analyzed roadblocks to transforming education and explored ways to improve access to a quality education. [Video](#)

Video

The budget and tax panel featured Joe Henchman, vice president of legal and state projects for the Tax Foundation, National Taxpayers Union Executive Vice President Brandon Arnold, and Heartland Government Relations Director John Nothdurft. The panelists discussed ways states are seeking to create a better business climate to attract jobs and businesses to their states. The panelists also discussed right-to-work laws, tax reform, and reforming public pension

systems and debated which policies are working and which are not. [Video](#)

Stay tuned as Heartland prepares to host its [Winter EIF in Orlando, Florida on December 15-17](#).

WHAT WE'RE WORKING ON

Budget & Tax

Research & Commentary: States Moving Away from Sales Tax Holidays

Since 1980, state and local governments have used sales tax holidays as a popular tool to encourage certain types of consumer activity. Sales tax holidays temporarily exempt or lower state and/or local sales taxes for certain kinds of products. Recently, after years of continued expansions of sales tax holidays amongst the states, the trend has started to reverse. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines sales tax holidays. Glans says they are a gimmick that benefit only a small number of companies and are used to hide larger, more significant problems with a state's tax code. "Despite their popularity with legislators and some consumers, sales tax holidays are not sound tax policy. Tax holidays attempt to mask the wider problems in a sales tax system by giving consumers temporary relief rather than fixing the actual problem." [Read more](#)

Education

Common Core: A Bad Choice for America (Second Edition)

In 2010, every state but Alaska, Nebraska, Texas, and Virginia adopted Common Core education standards, a set of education requirements for the nation's elementary and secondary school children that lay out what every student should know at each grade level in math and English language arts. The initiative represents a dramatic centralization of authority over the nation's historically decentralized K-12 education system. In this second edition of *Common Core: A Bad Choice for America*, Author Joy Pullmann, a research fellow on education policy, says though proponents insist Common Core originated in a "state-led" process, the truth is a group of private trade organizations commissioned a small group of consultants to write Common Core behind closed doors. "This elite-driven, closed-doors process created a set of what can accurately be described as mediocre mandates. While proponents say Common Core is 'internationally benchmarked' and 'rigorous,' independent scholars conclude Common Core will graduate students prepared at best for a two-year community college. Several states had better standards in place before



they adopted Common Core.” [Read more](#)

Energy & Environment

Research & Commentary: Study Says South Texas Fracking Not a Risk to Air Quality

In this *Research & Commentary*, Policy Analyst Tim Benson writes how researchers at the University of Texas-Arlington’s Collaborative Laboratories for Environmental Analysis and Remediation have conducted a study on ambient emissions at hydraulic fracturing sites in the Eagle Ford shale in Southwest Texas and found the emissions to be within the acceptable federal standard. The study examined ambient benzene, toluene, ethyl benzene, and xylene (BTEX) at fracking sites in 13 different counties using over 12,800 mass spectrometry measurements. While these BTEX compounds did register around fracking sites, their concentrations were very small. The authors also found these emissions are not the result of the fracking process itself; they emanate from various onsite activities that were carried out poorly and inefficiently. Benson says the study reinforces the claim drilling is currently being conducted in Texas in a safe and responsible manner, and Benson says there is no scientific justification for banning hydraulic fracturing or over-regulating it out of existence. [Read more](#)

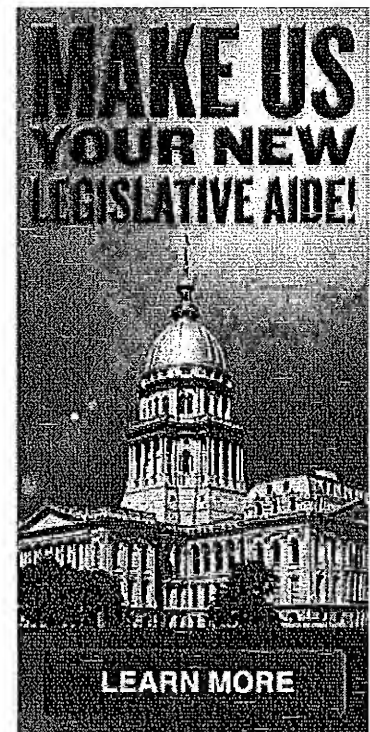
Health Care

Research & Commentary: Florida Should Allow for Dental Therapists

A growing number of states and tribal communities are allowing dentists to employ dental therapists to help meet the growing need for routine dental care. Unfortunately, Florida is one of the many states that has not reformed dental licensing laws to allow for dental therapists. In this *Research & Commentary*, State Government Relations Manager Logan Elizabeth Pike examines dental therapists in the State of Florida and encourages Florida lawmakers to reform their licensing laws in order to allow for them to practice. “The field of dentistry is changing, and states desperately need to reform the care delivery system to address oral-health needs. Regular access to basic check-ups can prevent the majority of painful and costly dental issues.” [Read more](#)

From Our Free-Market Friends

Mackinac Center Event: How Pensions Are Bankrupting Cities and States and How to Fix It
[Register here](#)



POLICY NEWSPAPER



The July issue of *Health Care News* reports House Republican leaders plan to release immediately before the Republican National Convention a party-wide plan to repeal and replace the Patient Protection and Affordable Care Act, aka Obamacare. Caitlin Carroll, communications director for the Republican Study Committee, said “any plan that dismantles Obamacare and moves [the country]

toward patient-centered reform should be considered as part of the House's ongoing discussion of what a conservative health care reform plan should look like."

[Budget & Tax News](#)

[Environment & Climate News](#)

[School Reform News](#)

	Heartland Institute	Our Websites
	The Heartland Institute is a 32-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.	<u>The Heartland Institute</u> <u>Heartlander Magazine</u> <u>PolicyBot</u> <u>Somewhat Reasonable</u> <u>The Parent Trigger</u> <u>Climate Conference</u>

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Heartland Institute: The Government Relations Team | nmakla@heartland.org |

Diane Bast | 3939 North Wilke Road | Arlington Heights, IL 60004

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PUBLIC POLICY

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Friday, September 9, 2016



TOP NEWS

NY Judicial Nominee Advances To Full Senate

A Senate panel voted through a Gibson McAskill & Crosby LLP partner's nomination to a vacancy on New York's federal bench Thursday, after a six-month wait in the Senate Judiciary Committee.

House OKs Bills Trimming SEC Rules On Small Businesses

The U.S. House of Representatives voted through a series of changes to securities and disclosure laws Thursday in the face of Democratic and White House criticism that the changes meant to ease small businesses' access to capital would destabilize markets and make it easier to swindle investors.

Feds Drop Case Against Ex-Va. Gov. McDonnell And His Wife

U.S. Attorney Dana J. Boente said in Thursday court filings that he will drop his high-profile corruption case against former Virginia Gov.

LAW FIRMS

Adams Stepner
Ashcraft & Gerel
Axinn Veltrop
Baker Botts
Bancroft PLLC
Beasley Allen
Brune Law PC
Caplin & Drysdale
Carlton Fields
Carmody & Torrance
Carter Ledyard
Chadbourne & Parke
Coughlin Duffy
Covington & Burling
DeCotiis FitzPatrick
DiFrancesco Bateman
Drinker Biddle
Edelman Combs
Fish & Richardson
Foley & Lardner

Bob McDonnell and his wife, Maureen, telling the Fourth Circuit that the government wants a dismissal without leave to refile.

Fed Pushes For Tighter Limits On Banks' Commodity Biz

The Federal Reserve on Thursday urged Congress to repeal banks' authority to invest in nonfinancial companies and a grandfathering exemption allowing Goldman Sachs Group Inc. and Morgan Stanley to engage in physical commodity activities, further signaling regulators' unease with bank involvement in energy and other commodity sectors.

High Court Asked For Clarity On EPA Water Rule Jurisdiction

The National Association of Manufacturers has asked the U.S. Supreme Court to review the Sixth Circuit's split ruling that it has jurisdiction to hear challenges to the U.S. Environmental Protection Agency's and Army Corps of Engineers' controversial Clean Water Rule.

NY Enacts Rules Limiting Fees, Fines On Payroll Cards

New York state rolled out new regulations for payroll cards used by hundreds of thousands of workers on Thursday, with Gov. Andrew Cuomo pledging to prevent workers from having their wages cut into with fees and fines.

6th Circ. Pushed To Clarify Ky. Judges' Political Talk Ruling

Kentucky's Judicial Conduct Commission on Wednesday urged the Sixth Circuit to clarify its recent ruling that the state's limitations on judges' political speech are too broad, saying it's now unclear whether campaigning judges are still barred from claiming to be the endorsed candidate of a political party.

ANALYSIS

Absence Of Final MLP Status Rules Sowing Uncertainty

Frank LLP
Freund Freeze
Gibson Dunn
Gibson McAskill
GluckWalrath
Golomb & Honik
Gordon & Rees
Greenberg Traurig
Gupta Wessler
Hausfeld
Hinshaw & Culbertson
Holland & Knight
Johnson Barnhouse
Jones Day
Kilpatrick Townsend
Kirkland & Ellis
Koppel Patrick
Lackebach Siegel
Latham & Watkins
Littler Mendelson
Mayer Brown
McCusker Anselmi
Morgan Lewis
Motley Rice
Much Shelist
Paul Hastings
Porter & Malouf
Prickett Jones
Quinn Emanuel
Schmeiser Olsen
Shook Hardy
Sidley Austin
Skadden
Stites & Harbison
Venable LLP
Wachtell Lipton

COMPANIES
AT&T Inc.

Final regulations on how service providers in the oil and gas industry can qualify for preferential tax treatment as master limited partnerships have been anticipated for some time, but experts say their failure to materialize is leaving taxpayers who may be impacted by changes in a state of uncertainty.

Euro Drug Pricing's Tradeoffs May Limit Appeal In US

As U.S. lawmakers call for pharmaceutical companies to rein in drug prices in the wake of Mylan's EpiPen price increase, experts say consumers will need to weigh whether Europe and Canada's regulated, but cheaper, prices are worth the underdiscussed tradeoffs, including reduced access to some medication and stifled industry innovation.

BANKING & SECURITIES

Divided CFTC Recognizes Japanese Swap Margin Rules

The U.S. Commodity Futures Trading Commission on Thursday voted to recognize Japanese rules on swap margin requirements as compatible with the American rules that went into effect last week, despite a stern dissent from one commissioner and another's concerns over the implementation of the regime in general.

Hong Kong Exchange Signs Memorandum With Shandong

China continued its push to internationalize its capital markets on Thursday with the signing of a memorandum of understanding, aimed at supporting and promoting future capital markets and commodities market developments, between the People's Government of Shandong Province and the Hong Kong Stock Exchange.

SEC Judge Rebukes Tilton's 'Fishing Expedition'

A U.S. Securities and Exchange Commission judge on Thursday said the agency doesn't

Allergan PLC
America's Health Insurance Plans
American Bar Association
American Council of Life Insurers
American Insurance Association
American Intellectual Property Law Association
Anthem Inc.
Biogen Inc.
Bloomberg
CTIA
Center for Biological Diversity Inc.
Comcast Corporation
Electronic Frontier Foundation
Fitbit Inc.
Foxwoods Resort Casino
Goldman Sachs Group Inc.
Hewlett Packard Enterprise Co.
Hong Kong Exchanges and Clearing
Johnson & Johnson
MGM Resorts International
McDonald's Corporation
Micro Focus International PLC
Microsoft Corporation
Mohegan Sun
Morgan Stanley
Mylan NV
National Association of Insurance Commissioners
National Association of Manufacturers
National Education Association
National Federation of Independent Business
New York Times Co.
Pacific Legal Foundation
Pfizer Inc.
RPX Corp.

have to turn over notes and audio related to witness interviews in its \$200 million fraud case against private equity magnate Lynn Tilton, saying Tilton seems to be on a fishing expedition.

ENERGY & ENVIRONMENTAL

Calif. Gov. Signs Emissions Target, Climate Oversight Package

California Gov. Jerry Brown signed sweeping climate change legislation Thursday that gives the legislature more oversight over the powerful Air Resources Board and codifies into law the governor's emissions reduction goals set out in a 2015 executive order.

Enviros Sue EPA Over Ocean Acidification Standards

Environmentalists on Thursday sued the U.S. Environmental Protection Agency for allegedly failing to set new water quality standards aimed at reducing ocean acidification.

Senate GOP Says EPA Lacks Frankness About Lawsuits

A group of Senate Republicans on Wednesday slammed the U.S. Environmental Protection Agency for being insufficiently transparent about litigation the agency is involved in and about its planned regulatory action for the near future.

VA Proposes Rule To Expand Benefits For Base Contamination

The U.S. Department of Veterans Affairs on Thursday floated a proposed rule that would expand disability benefits eligibility to cover more service members affected by more illnesses from decades of contaminated water at the Camp Lejeune U.S. Marine Corps Base.

IP & TECHNOLOGY

USPTO Seeks Feedback On 'Missing Parts' Patent Program

Service Employees International Union

Shanghai Stock Exchange Ltd.

Shenzhen Stock Exchange

Star Scientific, Inc.

T-Mobile USA Inc.

Tsingtao Brewery Co. Ltd.

Turing Pharmaceuticals AG

Uber Technologies Inc.

United Continental Holdings Inc.

Wayfair LLC

Westlake Chemical Corporation

eBay Inc.

GOVERNMENT AGENCIES

Agency for Toxic Substances and Disease

Alabama-Coushatta Tribe of Texas

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Industry and Security

California Environmental Protection Agency

Commodity Futures Trading Commission

Department of Commerce

European Commission

Federal Acquisition Regulatory Council

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Reserve System

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

Mashantucket Pequot Tribal Nation

NAFTA